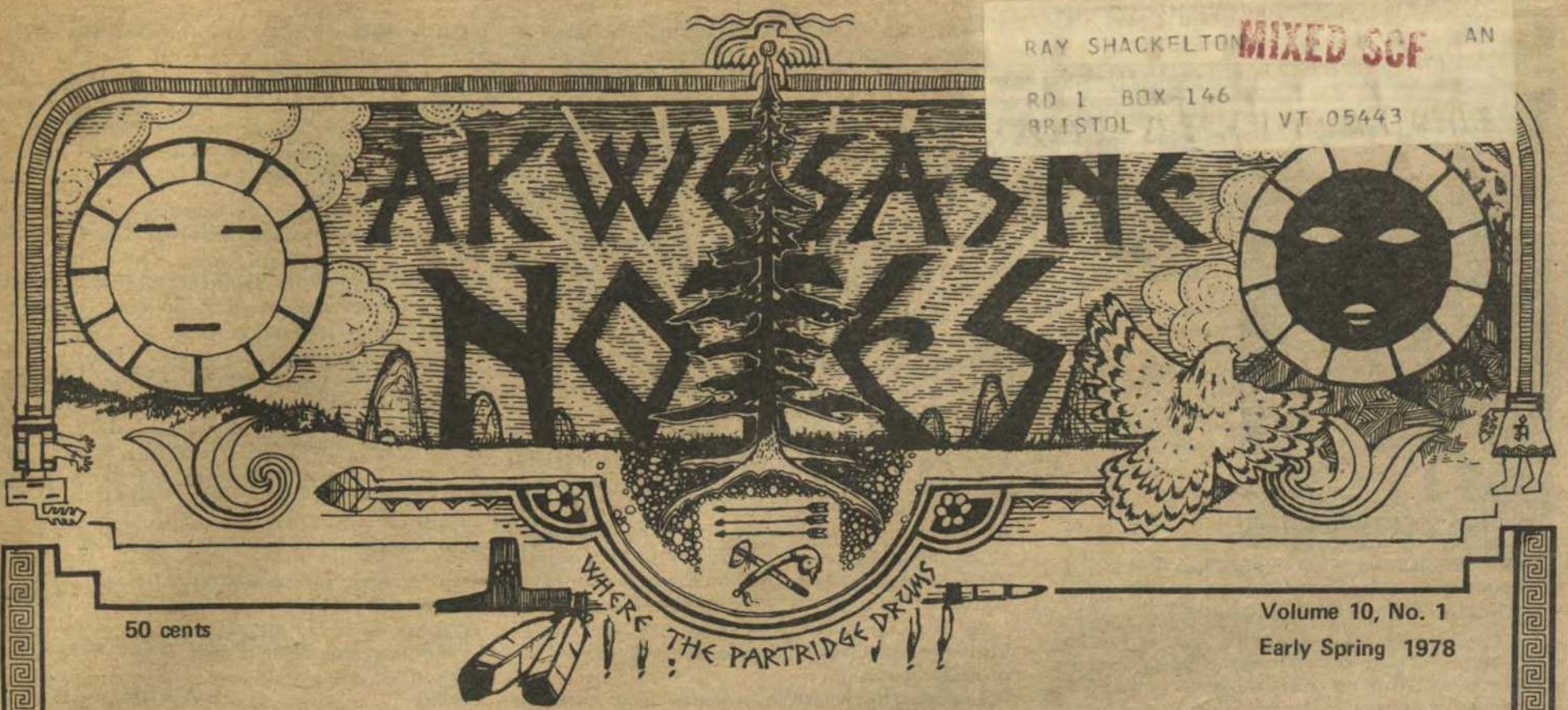


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Volume 10, No. 1  
Early Spring 1978



EDUCATION † NORTHERN CHEYENNE † PARAGUAY † FOUR CORNERS STRIP-MINING † MORE



# HOW IT IS WITH US....



Over the past year, NOTES has been involved in a number of projects. NOTES is one of the largest publications which focuses opposition to ecological destruction, and is perhaps the only real national watchdog of energy development on Indian territories. And, in addition to that, we have helped local communities organize to struggle around many kinds of problems.

NOTES is probably the only news organ which recognizes the need for a spiritual element in the arena of political struggle. We were one of a few publications which gave space to the problems and statements of Native peoples in Latin America. In some fairly substantial ways, we helped to organize, encourage, and publicize the efforts of Native people throughout the Hemisphere to begin a much broader base of communications between Native communities and non-Native organizations.

And we have intensified our efforts to raise consciousness among our readership. It has been our function, as we see it, to provide a cross-cultural perspective on American lives and environments. Because of that, we have tried to be a voice to many kinds of people — a voice which speaks to our concerns

and analyses of problems ranging from the crises in ecology and nuclear energy to the current destruction of the family as a functioning institution of society.

We reported political trials probably as intensively and carefully as any news organization anywhere. We also have consistently been a communications leader in such issues as forced sterilization, mercury poisoning, arsenic poisoning, and a wide range of other concerns. We were the only Native publication in North America to devote a feature article to the problem of human slavery in Paraguay. NOTES has provided sources of inspiration and political organization for all kinds of people in all stages of work.

And this year (1978) could, potentially, be an even more productive year. We are engaged in an intensive effort to help people in Guatemala to develop a source of revenue which will enable them to maintain their lands. We are hoping to be able to begin to develop a demonstration area for a self-sufficient community in the Northeast, and we will probably play some role, whether in a technical capacity or simply in terms of supplying support for a number of community development projects around the United States and in Canada.

But there are problems which we must think about, also. Problems which interfere with and which could neutralize our work.

Newspapers are inherently money-losing operations. The successful ones are giant multi-corporate organizations which employ extremely sophisticated technology and which enjoy advertising revenues which reach seven figures and more. And even some of those are in trouble.

AKWESASNE NOTES has been able to exist because it has an all-volunteer staff and because people do donate to the newspaper. Costs continue to rise, while revenues for this publications do not rise, and those donations are absolutely critical to this organization.

This issue will cost over \$10,000 to print and distribute. Although we reach more people than ever before, the very nature of our operation is such that we suffer periodic cash-flow crises. And because our publication has no set subscription rate, a healthy percentage of our readership truly takes advantage of the offer.

Our situation is fairly easy to understand. NOTES receives no help from federal, state, or local governments. The newspaper is not sponsored by any political, religious, fraternal or other organization. There is no endowment. The only revenue there is to pay the enormous costs of producing NOTES comes from our readers in the form of contributions.

A few years ago, when the Wounded Knee occupation was in the news, contributions to NOTES were vigorous. And the major source of revenues for the paper during those years, aside from contributions, came from White Roots of Peace engagements at colleges, communities, and universities across the continent.

That source of revenue has declined dramatically over the past two years. While NOTES has increased its readership and expanded its services, we have simply not been able to meet, in any given period, rising costs due to inflation. Unless we are able to generate more revenues from contributions and the travelling group VOICES FROM THE EARTH, revenues at least comparable to past years, we will be forced to cut back our services.

Last summer, we made an appeal to our readers for contributions to enable us to survive as a publishing organization. NOTES has many friends, and the response at that time enabled us to keep going until now. Few publications in the world have been so fortunate. But if NOTES is going to continue to survive, we are going to need more contributions and help in scheduling VOICES FROM THE EARTH trips.

Help is needed now in the form of donations and VOICES dates.

Not all, however, is bad news. The Youth Project of Washington, D.C., a public foundation, has agreed to take AKWESASNE NOTES under its wing as a research and educational project. This means we can now offer our friends the opportunity to make tax deductible donations to support our work. Checks should be made out to:

AKWESASNE NOTES/ The Youth Project,  
and sent to us here at NOTES.



AKWESASNE NOTES is the official publication of the Mohawk Nation at Akwesasne (People of the Longhouse) and contains (from time to time) Longhouse News, the official publication of the Mohawk Nation at Kanawake.

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PLEASE NOTE NEW TELEPHONE NUMBER

[The staff of AKWESASNE NOTES are volunteers. Contributions to the newspaper go entirely to cover printing and postage costs. Readers' help to make the staff comfortable and efficient and capable is sincerely appreciated, since full-time staff do not have the opportunity to work privately to gain these things for themselves.]

## AKWESASNE NOTES PEOPLE

Yonahwaylut & Roberta, Bob, Cheryl, Mitch, Diane, Priscilla, Segwalise, Gai-ha-tah, Kaientares, Dan Bombery, Marilyn, Elmer, Rokwaho, Jose and Sotsisowah.

## VOICES FROM THE EARTH

As the official replacement of "White Roots of Peace," VOICES FROM THE EARTH is carrying on the work of travelling and presenting the message of the Native people. We plan our trips twice a year, in the early Spring (March — April) and the late Fall (November — December). This allows us time to work on the paper and also to tend our gardens and other activities.

Our group ranges in size from 6 to 16 persons. In this way, we have a number of speakers, singers, and other persons with which to make our presentations. An average day for the group consists of presenting several talks or leading discussion groups, guest lecturing in classes, conducting a crafts show and sale, showing films, and an evening presentation to a general audience. We have found that we can communicate to a large number of people and also provide an experience and insight into the direction of the Native movement from several viewpoints. Since our beginning we have logged over 400,000 miles, and have visited hundreds of campuses, communities, and organizations. We feel that we have had an opportunity to bring about better understanding of the Native peoples, their goals and desires, and possibly, we have helped to show some alternatives to the conditions we all face as human beings. Our Fall tour through the East Coast, the Midwest, and the Southwest is being organized now.

For further details please contact:

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## AKWESASNE NOTES SPEAKERS' BUREAU

It is possible to arrange for speakers on Native subjects for your school or community. To make arrangements, simply write AKWESASNE NOTES or call (518) 483-2540. Honoraria vary from speaker to speaker.

Ours is a most difficult task, for we are trying to help people who have some kind of interest and concern for their people to understand and to unite with other peoples who have what appear on the surface to be separate and different concerns. We believe that the concerned people can come to one mind about their concerns, and we would like to be a part of the process which may help this to happen. But we are, after all, only a newspaper, a reflection. You, the reader, are a participant in the processes which make the kind of life we and our children will lead in this world. We offer our work as a tool in your work — help us grow so that NOTES will be a stronger tool. Promote NOTES — tell people about it, generate interest in the issues we cover. In that way, we will all grow stronger.



## A NEW WAY TO HELP NOTES

Your Contributions to AKWESASNE NOTES can now be tax-deductible.

The Youth Project of Washington, D.C., a public foundation, under 501-3-C of the Internal Revenue Code has agreed to take NOTES under its wing as a research and educational project.

If you would like to support these efforts and receive the benefit of a tax-deductible contribution your check should be made out to Akwesasne Notes/ The Youth Project, and sent to us here at NOTES,

You will receive a letter of receipt that you can keep for your income tax records.

We still do not accept government funds, but we urge you to take advantage of this opportunity to help our message grow.

The AKWESASNE NOTES People.



## TABLE OF CONTENTS

|                                                      |    |
|------------------------------------------------------|----|
| THE WAR ON OUR CHILDREN.....                         | 4  |
| OF MIND..HEART & SPIRIT .....                        | 5  |
| FARMINGTON, NEW MEXICO .....                         | 9  |
| THE INDIAN PEOPLE HAVE NO RIGHTS.....                | 10 |
| SHORT NOTES .....                                    | 11 |
| THE NORTHERN CHEYENNE.....                           | 12 |
| THROUGH THE LOOKING GLASS .....                      | 13 |
| A BORDERLINE CASE.....                               | 14 |
| SHORT NOTES .....                                    | 15 |
| COLONIALISM - CANADIAN STYLE.....                    | 16 |
| POLLUTION AND GENOCIDE.....                          | 17 |
| ELMER EVERHART.....                                  | 18 |
| POETRY .....                                         | 19 |
| WE ARE THE PEOPLE OF THE WHALE .....                 | 20 |
| SHORT NOTES .....                                    | 22 |
| DEATH CAMPS IN PARAGUAY .....                        | 23 |
| FOUR CORNERS STRIPMINING .....                       | 28 |
| THE MAD HATTER'S TEA PARTY - SKYHORSE & MOHAWK ..... | 29 |
| BOOK REVIEW - THE OLD WAY, GARY SNYDER.....          | 30 |
| MINA LANSA.....                                      | 34 |
| LETTERS .....                                        | 36 |

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## KEEP US STRONG.....

According to our own estimates, AKWESASNE NOTES is read with interest by over 100,000 readers each issue, and probably reaches conservatively three to four times that number. NOTES is the largest and fastest growing Native newspaper in North America, and we believe that it may be the largest authentic Native publication in the Western world. We are active, and we are growing, we think, because we are serving a unique purpose — to bring to our readers an understanding and a vision of the world which has been all but forgotten by Western Man, and thus inevitably ignored by other publications.

To that end, our writers explore many aspects of concern of our times, from issues usually associated with ecology, to issues dealing with political repression, movements, alternative technology, self-sufficiency, and social analysis. In addition to these objectives, NOTES is also one of the leaders in the publication of Native poetry and is one of the centers of Native art production and distribution. NOTES is more than a news magazine — it is an exploration of Twentieth Century society, a view of these difficult times.

People from all walks of life read and correspond with NOTES. The success of our effort depends on the responses of our readers. We constantly need news clippings of events in Indian country and around the world — the kind of news people should know about. And, of course, we always have a use for photographs, recordings of taped interviews or speeches, and articles which people feel may be of interest to an international audience. Helping NOTES to grow is a way of helping many people gain in consciousness, and reading NOTES is a way of supporting your own personal growth.

We would like to have many more readers of NOTES. You can help this paper grow by encouraging your friends and acquaintances to read some of the articles you think may interest them. NOTES is not simply a Native newspaper — it is a newspaper which has a message for all peoples who are striving in some ways for a better future.

## Microfilm.....microfilm

AKWESASNE NOTES is available on microfilm and microfiche from a number of sources:

University Microfilms (\$4.60 and \$6/year)  
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## Subscriptions.....

### HOW TO SUBSCRIBE TO THIS NEWSPAPER

Just write to us, and we'll add your name to the mailing list. There is no fixed subscription price—but that does not mean the paper is free. Printing alone for this issue will cost over \$6,000, and rising postage costs will come to about \$4,000. And there are other expenses — typesetting equipment, typewriters, ribbons, paper supplies, etc., and that doesn't include costs for bare subsistence for our full-time volunteer staff. We are not funded by universities, governments, or even advertising.

Our money comes from our readers, most of it in small donations such as \$1, \$5, \$10. Some people have lots of money, others have none — we ask people to do what they can. If you want the paper, we're glad to send it to you. If you want to help with the costs, we will appreciate that — your help will assist us in continuing our work.

Another issue will be ready for mailing as soon as funds for printing have accumulated.

### THINKING ABOUT MOVING? JUST MOVED?

Let us know right away so we can change your address. If you are not at the address on our list, either the paper will be forwarded at a high cost to you, or it will be destroyed and NOTES will receive a notice for which we have to pay 25 cents. More than five percent of our readers move between issues, and it would mean more than \$700 cost to us, plus the loss of more than 3,000 newspapers. Please be sure to send in your old address or an old address label when you send us your new address. That way, you won't be sent two copies, and neither you nor us will need to pay any extra postage.

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# The War On Our Children

## SCHOOLS IN THE COLONIZATION PROCESS

The U.S. Government has set up commissions to study and find out the reasons why the average educational level for the Indian peoples is only 5.5 years. They have spent much money and time on the "problem," and the only conclusion they have come up with is that Native peoples have a high drop-out rate.

First, it must be pointed out that the conditions under which "Indian education" were set up were less than ideal for the Native people. The educational policy was determined around 1870, at the same time that a whole set of other policies affecting Indian people were being implemented, including genocidal wars against the people of the Northern plains and in the Southwest desert. It was decided at that time, as part of a military strategy, that the most effective way to put an end to the "threat" that Native nations posed to Western expansion was to simply break the Native peoples: divide the nations, the clans, the families, and destroy the religions. The tools which would accomplish this goal were to be the boarding schools which took the young from their parents in the name of education.

The first BIA boarding school was in Carlisle, Pennsylvania, at the Carlisle Indian School. In the beginning, there were documented cases of families having their treaty rations of food (their only food supply,) withheld from them until they would send their sons and daughters to these schools.

The primary purpose of the boarding schools was to acculturate the young Indian people. That was a hundred years ago, and not much has changed. All the schools for Native people provide much more structure and socialization in the values of the Western society than content which would enable Native people to control their own lives. The values and traditions of Native people are either totally ignored or are provided in a new and acculturated form — a language class, perhaps a beadworking class. The rules and point systems of the BIA schools are tools used to divide, confuse, and oppress students and employees while totally neglecting the issues of Native rights as students, employees, parents, and Native nations.

The Bureau of Indian Affairs is not required to supply answers about its total failure to represent Native peoples, and is rarely challenged in its support of American racism. The government-funded schools are designed to stifle the culture of the Native nations, and to turn Indians into the white mainstream as service workers in an industrial economy.

Young Native people who show leadership potential in the traditional societies are at all times ruthlessly oppressed in the public education systems. The education systems are among the most effective of the tools of oppression, for they tend to specialize young Native people to behavior which serves the needs of their oppressors. Native people are taught either to become accomplished in service rolls as barbers, mechanics, typists, dental assistance, or other relatively low-paying jobs in service industries, or they are sent to college and university programs which prepare them for jobs in the white-collar bureaucracy of the Bureau of Indian Affairs.

The young Indian going to school for the first time would have a great service done him if he were openly told: "You are an Indian and this is white education. We think that you are inferior. Therefore, you must conform because we are going to be your masters — even if it kills you." He shouldn't be told that he is being educated.

The young Native person who is raised in his own ways, who speaks his own tongue and knows the religion of his people, knows that he is required to share and cooperate with others of his people. His nation has always known that this understanding is a necessary part of being a whole person. When he goes to school, first he is told by his white (or acculturated) teacher that he must learn English, and from that point on, emphasis is placed on learning the foreign tongue and on forgetting his mother language and values. He is told that he must compete. Those two steps alone tell him: forget your people — they are wrong.



The Western education systems serve a number of functions, all of which are political in nature. Schools teach young people a very revised version of history, one which ignores the roll of the United States and colonialism in the oppression and exploitation of huge masses of people all over the world. But the schools go much further than simple political indoctrination.

For example, the schools reinforce the American political doctrine which denies the existence of Native nations. Native youth are socialized to the belief that their own nations are simply historical curiosities.

Schools are bourgeois institutions. They serve as baby-sitters for parents who are, in theory, either workers in an industrial society or administrators or rulers of that society. They involve a power-structure model, employing middle-class behavior specialists in leader/follower (teacher/student) exercises.

If we view schools as institutions which are intended to produce young adults who are productive in a social sense, who lead stable family lives, and who act as mature, responsible people, then we must conclude that schooling in the Western hemisphere is a total, or near total, failure. As a matter of fact, however, schools have no such goals. Schools teach power relationships. They are designed to transmit bourgeois ideologies and values, and at these functions they are enormously effective.

The socialization effects of the schooling processes in North America are disastrous to Native communities. The schools are the major cause of the extended adolescence to be found in Native communities in the Americas. Schools are the major reason that young Native people exhibit adolescent patterns of behavior well beyond any acceptable age of maturity. The socialization effect of schools, because of its focus on power relationships, has made it very difficult for many Native young people to act in rolls as adults.

The extended adolescence is probably the single greatest crime perpetrated by the school systems on Native young people. There are many explanations advanced for this phenomenon — the fact that the young are virtually segregated from adults for long periods of their lives is one of the more imposing theories. But the central fact is that schools simply have no interest or need to function to socialize young people to be adults. Schools cannot, have not, and probably never will socialize young people to be parents or cooperative spouses. They do not teach people to be productive in any kind of local or domestic sense, training essential to the strength of communities, especially Native communities.

In contemporary Native communities, we find adults who continue to behave as adolescents for extraordinarily long periods of time. This essentially means that people are found still partying well into their twenties and thirties. That phenomenon is one of the major contributors to the so-called "Native" social problems — alcoholism, child abandonment, single-parent families, unemployment, and alcohol-related violence and accidents.

Adolescent behavior is basically socially irresponsible behavior, and that kind of social behavior today has its roots in the schools. Although there are other economic and social reasons for poverty, the specific malfunctioning of Native societies today, such as the increasing instability of the family, cannot be explained in terms of material poverty alone. There were historical periods of material poverty in which the

family remained relatively stable. Clearly the problem lies in some kind of social/cultural poverty, and any careful analysis must identify the education system as a major force which has created the behavior pattern responsible for these problems.

The major contribution of the school systems to Native communities has been in the area of psychological helplessness. The schools have taught power relationships so effectively and on so many levels that the Native people are often virtually unable to even begin to deal with their own real problems. This is because they have, in many cases, been very successfully socialized to irresponsible behavior — in their experience, such behavior is the norm.

The survival of Native societies requires that their members act as responsible adults. This means that members are required to develop productive skills and social stability. Schools and "education" have been presented as the cure to the Native problems, but perhaps it is time that we see that the Western education system is not a cure but rather a source of a great many of the worst of those "Native problems," especially the psycho-social problems. Schools do not eradicate ignorance, they do not "educate," they do not enlighten. Their primary function is to socialize, and the specific socialization directed at Native people has been deliberately destructive in nature.

Native education by Western peoples began with the explicit objective of the destruction of the Native nations through enforced socialization and acculturation. They are eminently successful in that objective, for the education systems have contributed to an enormous amount of misery and treachery in the Indian country. Today, schools are the single most influential institution creating among Native peoples a society of young adults who are simply incapable of assuming the responsibilities of real adults, and this has been largely responsible, in the 20th Century, for the many social problems which plague the Native communities and which make the rebuilding of Native nations such an extremely difficult task. But the school systems must be seen as enormously effective institutions, because that is what they set out to do.

Native students must take the Great American Lie and be force-fed helpings every school day. They learn of George Washington, Thomas Jefferson, Honest Abe (who was homely and beautiful), Theodore Roosevelt, John Kennedy, the U.S. Constitution and the Bill of Rights. What they are not told is that George Washington sent military expeditions determined to exterminate Native people during the American Revolution, or that the U.S. Constitution excluded Native people specifically from participation in the United States government, or that the Bill of Rights does not protect Native peoples and Nations from the most horrifying injustices ever practiced by one people upon another.

Native education should be a real education, a process which attempts to inform young people of the truth. It should not be simply the most blatant American propaganda. What can one say of a country of people who would permit and condone the use of education as warfare against young children? Yet, historically, that is the case of the American education system as it has related to Native people.



# Of Mind..Heart & Spirit..

## LIBERATING THE KIDS, PRESERVING OUR FUTURE

In this, our first issue of 1978, we decided to take a look at the alternatives being developed in the field of "Indian education". It has long been the opinion of this staff that the "education" imposed upon our people is one of the most devastating forms of genocide at work against Native People. As we look across Indian Country there is absolutely no area that is not suffering from the suppression of Western imposed education systems.

This one single tool of the West has completely wiped out many Native tongues, contributed to the collapse of entire societies and cultures, and caused thousands of deaths - physically and mentally. Still, many of our people blindly chase the forms of Western education that occupy our lands. We can understand this blind need, because we understand the dependency that our people have been forced into. A dependency that is controlled and manipulated miles from our communities.

We have earned a great respect for the work being carried on in Native communities toward alternative education. Even though these efforts are miles apart, and set in different contexts, they share several common goals. One in particular is the realization that the children are the key to our future, our unity, our freedom. To achieve those ends each of the four schools we highlight, and several more we didn't have time to, face a day to day struggle. They are surrounded by their own people who chase a Western middle class lifestyle, they face the various bureaucracies and laws that decree that our children must become landless peasants in the Western economic scheme. We hope that these articles will stimulate some thought about where we are headed educationally. Must we take the system forced upon us, or are there some real alternatives we can develop ourselves? The answers to these questions will decide what Indian Country will look like 30 years from now.

## HEART OF THE EARTH

It was late in the afternoon in the basement of the Heart Of The Earth Survival School and there was a band setting up.

The kids were beginning to roll in. This was a special treat. Earlier in the day, Tony Salinas, who is the principal of the school, had made the announcement.

"I wanted to tell you," he had said to a group of the older kids who had dropped by his office and had sat themselves on chairs and on the floor. "Let's cut out the last hour today. We are going to bring in a band."

The kids' faces had lit up.

"I just wanted to let you know," Tony said, nodding. "That you have been really good lately. And I dig you. And so this is a treat."

The band was ready to play and the room was full. There was an ex-teacher from the school in the band and the kids came up to greet him. There were no school staff in the basement yet.

The kids looked around and brought out some chairs. One older boy guided the younger ones to the front. Most of the girls stood right next to the band.

The band began. The first song was solemn-the AIM National Anthem. All the kids stood up. Some sang.

Then came SANTANA!

Music filled the room-hard drums. The girls jumped in to dance. One boy got up to close an open door and then he toned down the lights. Two younger boys got into some rough-housing. They fell off their chairs. One older girl stopped them, sat them back up. "Listen to the music," she told them.

Now some of the teachers were coming down. They stood around. The kids didn't seem to notice at first. The band played loud and hard. Then they saw the teachers. One went up and then another-grabbing their hands, pulling them in. The teachers balked, laughing.

"Come on," one girl said. "Dance!"

One woman teacher let go. She jumped in to dance. The kids yelled, whistled. "Go to it!" one yelled.

The band played for an hour and then someone announced that the busses had arrived. One kid turned up the lights. Others put away the chairs. Everyone began to walk out--a crowd. You couldn't tell the teachers from the students.

Tony Salinas was standing by the door, moving everyone along. One boy walked by him and gave him the thumbs up signal. "Right on, Tony," he said.

Tony winked.



AKWESASNE NOTES PHOTO JESSE RODRIGUEZ

Heart of the Earth Survival School started in 1971--when a group of Indian parents in Minneapolis came to the realization that their children were being mangled by the public schools.

"The situation at the public schools is pretty bad," says Jim O'Brian, director at Heart Of The Earth. "I guess it is bad for all kids, but for Indian kids in particular, it is doubly bad."

We were sitting in Jim's office, which is on the second floor of the school. Our initial attempt, Jim said, was to pull the kids together--away from the impersonal, large public schools--and to try to give them a sense of what we are supposed to be about as Indians. The school grew as part of a movement--a movement for human rights, for the recognition of Indian Peoples as Indian Peoples, and, as such, an organic growth. It now has a relatively-large, two-story building with a cafeteria, kitchen, dozens of rooms for classes and even a gym. "But we've gone through some hard times," Jim recalled--"Times that pulled us together and gave us a good feeling."

But it is a full-fledged school now, says Jim--with a real possibility for becoming a real alternative system for Indian children. "So, we've gotten to the point now that we have to think in terms of large-scale funding. We have to think of our effect on the community at large. We have to expand."

With growth, as always, have come problems and concerns--and some hard questions. How can the school maintain its feeling of unity? How can it continue to be an integral part of the struggle for Indian sovereignty?

Pat Amo, a teacher at the school: "There is some confusion about the relationship of Indian culture to modern academic and technical needs. It is something we are trying to work out."

A point of controversy during the past several years has been the actual quality of academic skills being taught. Most parents felt that Indian culture was great, Pat says, but then they asked a hard question--Are our kids actually learning the basic skills?

"That's one challenge we had to overcome," Tony says. "That's a challenge that every alternative school must face. Now," he grins. "I am happy to report that our students are approximately 2 and 1/2 grade levels ahead of their public school counterparts."

Which leaves the question of culture and its relationship to sovereignty.

"That one is hard," Pat Amo admits. "We have culture teachers. We have language teachers..." Her voice trails off and her hands go up, pointing out the window. "But look out there--what do you see?"

"I'll tell you one thing," says Alex Cordero. "We just

don't have the cliques that you see everywhere. In all my professional work, I've never seen anything like it."

Alex is a counselor at the school. His job is to understand the relationship of the kids' home situation to their everyday lives at the school.

"People have a lot of problems," Alex says. "The way I see it--if we are really going to do something, we have to understand that."

How can you talk sovereignty to a parent whose boy is in jail for stealing a car? To a parent who is busy trying to talk his girl out of snorting cocaine, or Angel dust? How can you talk cultural integrity to a people who on a monthly basis can't make ends meet? Whose heating bills keep going up month by month? Who can't find a job? How can you talk spiritual well-being to people whose faces tell of the fear and oppression?

A heavy question--culture.

Once, people had a circle and within that circle was contained their culture. It was the same thing. It was a place to view the world from. It was a place, first of all in the mind and it was grounded on real land--on territory--on a sense of where your ancestors' bones were laid to rest.

How can Heart Of The Earth Survival School in Minneapolis, Minnesota reproduce that? How can any school reproduce that?

While we were sitting at Jim's office that one day some kids came in. They walked in without knocking, introduced themselves and invited us to lunch.

A little later we went down to their room. That morning they had gone out and bought all the ingredients. They had chosen a menu, done math in the measuring and purchasing, and when we came in they sat us down and served us.

An older man, who also is a culture teacher at the school, was asked to come in. He offered a prayer.

Other teachers from other classes had also been invited. We all sat around the table. On the wall across from me I noticed a sign on which were written rules that the kids themselves as a class had made up to make their class run smoothly. They included no yelling, no running, no swearing and the need for respect for the elders, for visitors and for themselves. They followed these rules without any apparent difficulty.

Some of the conversation around the table focused on a recent trip they had taken to Milwaukee for the trial of AIM activist Leonard Peltier. The kids were very excited. They had been able to go into the courtroom, to some ceremonies with Leonard Crow Dog. They had seen the culmination of the trial, which had ended up in an acquittal of Peltier and the kids were happy. This



happens often at the school. You walk around and you see groups leaving classrooms to go outside, to go across the street to a library. The teachers take or send the kids to study health-care facilities around town, getting to know the community. Some kids wanted to start a newspaper. There was a feeling among them that this was their school.

"We encourage that feeling," says Tony. "In fact, we wouldn't have it any other way. The school belongs to the students, as far as I am concerned."

One day, one of the teachers found some graffiti in the girls' bathroom. It was scribbled on the walls and it was particularly gross in nature. The teacher found herself offended.

"We decided to call a meeting of the older girls," Tony recalls. "We all came together and then we asked them to go look at the bathroom and see what they thought about it. I think their reaction, which was entirely theirs, is particularly telling—reflective of the way things happen at this school."

"The girls were really angry. They felt that this was their bathroom and as such—to have written such language on the walls for anyone to see—and particularly the younger kids—was a disrespectful thing to have been done. We had the meeting and let it go at that. This was in the morning. By late afternoon the girls had identified the girl who had done the graffiti. They had a meeting with her. They wondered why she had written these things on the wall. It was really incredible. They talked to this girl like they were concerned that she would have the feelings inside to write such things. And then they asked her to try to do something about it. The first thing was that the girl wash the graffiti off. But the important thing to me was that the situation had been identified, rectified, without anyone being made to feel inferior about it, or punished."

## ONONDAGA INDIAN WAY

Onondaga is an Indian community nestled in rolling hills perhaps ten miles south of the metropolis of Syracuse, New York. It is significant in the Native world because Onondaga is one of the few remaining places in the United States which retains its original form of government, and which is not, therefore, governed in any sense by the Bureau of Indian Affairs. Onondaga is also, incidentally, the capital of the Six Nations Confederacy. There is no Indian Reorganization Act government here, and the huge amounts of money in federal programming funds is also absent.

Onondaga is also a community which, in recent years, has made a serious effort to gain some control over the form and content of the education which its children receive through the public schools. This community has been more successful than any other rural community we know of in this attempt.

We met with some of the Onondaga people in the Mud House, a modest wooden structure located in the center of the village. The Mud House is a long wooden building which serves as a kind of dining hall and informal meeting place. Inside are long wooden tables, a wood heating stove, and a partition, behind which is housed the cooking facilities.

We asked Chief Powless, a soft-spoken young man with striking Indian features and long, black hair, to tell us about their efforts with the school.

"What happened," he said, "was that in late 1968, or early 1969, there was a growing concern here about Indian education. It became clear that the only way that people could affect their own culture and way of life was to have their own school and to run it themselves."

"I went to Commissioner Nyquist [N.Y. State Commissioner of Education] to explore the prospect of developing a school run by our own community, and I received a negative answer. Things weren't going very well in the school at that point — the drop-out rate, questions of federal moneys... So, in 1971, we boycotted the school, to institute a change in education so that we could have more of a say about what was going on in that school."

"At that time — it was like it was a hundred years ago — you didn't speak the (Onondaga) language in the school, there was no (Onondaga) culture — these things were completely set aside. The needs of the people weren't being met. We boycotted the school."

"Our ultimate goal, since we started in 1969, was to have a K — 12 school, that was run by us. We wanted to be the controlling element of the education of our young people. We wanted to control the input of language and culture for our people. If you have control, you can carry on your ways. If you don't have control, you can't do that."

"Lafayette (School District) is the controlling element here. They instituted into our school Spanish, and there was no squabble about putting Spanish into the school. Now, on the other hand, if we were the controlling element in the school, if we said we were going to put Onondaga language into it, it becomes a different story."



Mrs. Audrey Shenandoah is one of the language instructors at the school. She is an older woman, a grandmother, with an engaging smile, and gentle mannerisms. She is one of the strong women, one whose voice is sincere and whose words are chosen carefully.

"When the language program was put in in 1972," she said, "it was just a token thing, really, because we were given 15 minutes, two days a week. In 15 minutes, you don't accomplish very much. This was in grades K — 6. After that, it became 20 minutes, but it was still only three days a week. Spanish, on the other hand, was given for two half-mornings a week."

Chief Powless: "When Spanish was introduced, it was mandatory. But when Onondaga was introduced it was an elective. You had to have written permission from home to be included in the language, and also in the culture classes. The Onondaga language and culture programs were put into the schools under a kind of 'planned failure' program. When the culture program was put in, it was put in grades K — 6, with five minute intervals between each class. The teachers who taught went from class to class, teaching all the grades all day long. In a kind of program in which each class had to be prepared differently, you were in the kind of program where the teachers were up every night until 2:00 a.m.. You were going into the school and running from classroom to classroom. We didn't even have a base to work from — we carried all our materials from room to room. The time element geared the program to failure."

"There was a group of parents and interested community people," Mrs. Shenandoah added, "who gave enough of their time that they just kept pushing things until some of these changes came about. And it wasn't easy, because sometimes you would have a large, good group of people, and sometimes, when there was a lot of controversy over things, then it would go back to just a few."

"The controversy came mostly out of fear of change. Fear of the changes that were going to happen. I don't know what they thought was going to happen. Somebody's got to be there to keep this push, to keep the content of the whole program in every area with Indian thinking and using subjects our kids relate to. We need to be working with the areas the system teaches, but using the material from our own culture, if that makes sense."

"One of the problems I have involves peoples' expectations. They expect that you will work like a professional person, like a professional teacher, and teach your things in a professional way. It has its points, but to try to keep things oral, and to try to keep things with Indian thinking behind what you are presenting to them is really a struggle. This is because of the rest of their day."

"The Indian people who are working in there, and the community people who do come in from time to time, do manage to keep a good part of their day toward Indian thinking. But again, it's unprofessional, in some peoples' eyes, the way some things are done. The people that we bring in (from the community,) we feel, are really knowledgeable, but they are not trained teachers. They don't have that aggressiveness to say, 'you do this until it gets done. If you don't get it done, you do it over and over again,' and pound it into their heads. I for one don't do that, and the culture doesn't do things that way. (We) still recognize that everybody works at his own pace, and recognizes that everybody works in a different way. They don't all work in the same way."

"Just because a child may not be doing, from a professional standpoint, all the things you are saying he

is going to do on this day — you said that this much is going to be covered today and come hell or high water we're going to do that much much and you're all going to get it or else you'll write it over and over 50 times... If we have to spend a whole week on one thing, you know, we will, and just present it in different ways. We try to keep that concept of keeping everybody appreciative of one another. When we know that somebody needs help in this class, well, we're all going to help him learn. The whole class learns it and not one or two people are ahead of the rest of the class because they are quicker at it. One area that we've had some success in is in taking care



of discipline problems in a way that is from the standpoint of the culture. It has worked well."

"These children that are coming out of the Onondaga Indian School now are going to have more to give their children culturally because of the things they are aware of as little children. You can tell it because of the things that they talk about."

"Many times they will have a question, and you don't even have to step in — the other children who remember when we discussed whatever the question might be, help the children to work it out for themselves. With the cultural education they have now, even though it is not total, these children are going to be able to give more of our culture to their children."

"As a result of the cultural material, I see less resistance to going to school. They are sort of anxious to get there because our school day has changed a lot since this time that there has been more community control. Take just the other day, for instance. One boy came in and said, 'I'm going to be late, Mrs. Shenandoah, I'm doing something.' So I said Okay, and before the class was over, he came in, and he had a whole batch of hot scoons that he had been making. This is what he had been busy doing. And he came in and shared it with the rest of the kids. You'd never see that before — hot scoons brought in in the middle of the class."

Chief Powless also expressed enthusiasm about the progress of the school thus far.



"Basically, you have to have a program in order to educate your children. Now the present educational program, as it has existed in the '50s and '60s, was composed of K - 6, where the children received an elementary education. From Grades 6 - 12, (the Indian children) dropped out, they never completed. Therefore, they weren't educated in the white man's world, and because they were in a (white) educational system for ten years, or so, and not spending any time in their own culture, they weren't educated in either way (culture.) They were not fluent in their own culture, and also they weren't educated in the white man's culture."

"A community such as Onondaga, which had total control over their school, would be graduating from Grade 12 people who could carry on their culture. That is the goal, really. We know of this generation of our people who do not have this, who cannot speak their (Onondaga) language, who cannot sing the songs, cannot perform the ceremonies, don't know the medicines. The list of things that they do not know is far greater than what they do know."

"When you graduate these people at Grade 12, you have a person who is total, who has the language, the philosophy, the culture. But along with that, you also have another culture, another teaching, which broadens your scope, your outlook, makes you a bigger person. Anyone who speaks two languages has a broader scope. Our goal is to have people who are total, who know our ways, and who still are able to communicate - who have wide vision, and who are able to carry on our ways. And who would be able to protect the lands and the culture. We are not talking about being able to sit down and string some beads together. We are talking about the total being. Some of the people here were unable, at first, to understand this."

What we have in the school now is a big step. Attitudes in the school district have changed. At the present time, we have the backing of the school board - they have given us a commitment that they will do all they can for the K - 12 program. We also have a commitment from the district principal. The last district principal wouldn't give us that, and the last board wouldn't give us that."

"We have partial control, partial input. At the present time, we have partial this and partial that. If we had more control, we would put more time into the Indian material."

## CAUGHNAWAGA School

The Mohawk territory known as Caughnawaga lies on the St. Lawrence River northeast of Akwesasne, and due south of Montreal. When one travels to Caughnawaga, you really have to know where you are going. Three hundred years of colonialism has changed the physical appearance of this territory.

The center, the older part of the village, is a model of hundreds of French-Canadian towns. The houses are close together, with very narrow streets. There are many large stone houses, and the Catholic church, school and clinic are located pretty much in the center of everything. There are several modern buildings now. They house grocery stores, gas stations, the Knights of Columbus, the fire and police departments, and other evidence of Canadianism. There is one vital difference between this and most other villages in this part of the world - throughout most of the village one hears the Mohawk language. For all the physical trappings of Canadiana, Caughnawaga is still Mohawk in its spirit.

From this small 2 by 4 mile reserve have come many young men to work the high iron. They have travelled thousands of miles to perform their skill. Wherever they have travelled they have created enclaves of the Mohawk Nation. On their jobs, in their hotels and apartments, one could hear them speaking the Native language of their people. Slowly, that has begun to change. When the older people think about it, it seems that since World War II, the world of Caughnawaga has been changing.

The older men complain that the younger ones are lazy and don't want to work. The people are complaining that there's more drinking, and now drugs. There are complaints that young people are getting married and breaking up so fast you lose track of who's married to whom. Everyone is complaining about the loss of the language - the young ones don't speak the mother tongue, the central ingredient of the Caughnawaga Mohawk identity.

For each complaint, there are solutions being offered. The band council applies to the Department of Indian Affairs (DIA) for more program moneys. The churches organize more recreation and social activities. Slowly, the peoples' focus has been to concentrate on the education their children are receiving. Slowly, an understanding is beginning to emerge. An understanding that sees that since World War II more Mohawks than ever before have been going to schools. During this same time, the social problems have been escalating. Some have begun to question whether there could be a close



relationship between these phenomena.

Some of the people who became concerned were young members of the Longhouse community. During the 1960s, the Mohawk children attended either Protestant or Catholic schools. The Longhouse children, for the most part, went to the Protestant schools. In 1970, a move was made to unify all the schools under the DIA education plan. The elementary children were kept on the reserve, the older children were sent to high schools in the Montreal suburbs. When the unification process began, the reserve formed a school advisory board made up of Catholic, Protestant, and Longhouse parents. It is also at this time that the Longhouse began to seriously consider taking control of their children's education.

With the beginning of the 1971 - 72 school year, the Longhouse People began the Indian Way School. The first school was housed in the cookhouse located beside the Longhouse. The teachers were volunteers from the community, and materials were donated from many sources. The goals of the Indian Way School were threefold: 1) to resocialize the children into habits that didn't promote drinking, crime, drug abuse, or family instability; 2) to instill in the children a sense of pride and identity based on being a member of the Mohawk Nation; and 3) to provide them with the basic skills needed to make a living. The people knew that they would have to find funding. They wanted to provide transportation for the children. They wanted to provide salaries for competent teachers in the basic skills, and they knew it was impossible for some of their own staff to commit long hours without some monetary compensation. And there was the constant need to replenish materials and provide a lunch. The Canadian schools that the children had been attending received close to \$2200 in Federal tuition for each child, even though they were no longer in those schools. The Longhouse People attempted to negotiate for this money. They encountered the usual bureaucratic shuffle to another, never able to get anyone to make a decision or accept responsibility. Finally, in the Fall of '72, (at the same time as the BIA occupation in Washington, D.C.) members of the Longhouse occupied the DIA Education Director's office in Ottawa. This tactic worked. The DIA signed a contract with the Indian Way School to provide each student's tuition to the school.

For seven years the school has been growing. Many of the initial leadership, and students, took part in the Mohawk re-occupation of their lands in the Adirondacks. The new leadership still maintains the original commitment and goal of bettering the children's lives. In February, 1978, representatives of AKWESASNE NOTES were invited to Caughnawaga to make a series of presentations about "Indian Education." We took this time to get to know more about the Indian Way School, and to get a first-hand look at this form of alternative education.

Last year, a faulty propane gas tank exploded and completely destroyed the original school. Fortunately, no one was hurt, but the damage was total, and the Indian Way School was forced to start anew. Their new site is located on 11 acres of land that are fairly removed from the main part of the reserve. All during last summer, students and staff labored to construct the new school building, and to obtain new materials in time to restart in September.

The building which houses the school is a simple structure. It is a long white building that reminds one of a longhouse. It is partitioned into three parts, heated by woodstoves, and was decorated by the students. It has the feel of a large family home. There are none of the orderly processes or the underlying sense of time

progressing in specific periods. On our arrival there the children were preparing for a visit from students from the reserve's elementary school. They were preparing a puppet show, and asked us to speak with both groups when their guests arrived. Throughout the building the students were engaged in different bits of work. Some were practicing on typewriters that had been donated, others were trying their hand at wood carving, and another group was preparing to go cross-country skiing in the woods around the school.

Following the puppet show, we had a chance to talk with the staff. We were interested in the philosophy about the school - and what they expected for the future.

People spoke at some length about the history of the school and the various struggles which had occurred at Caughnawaga. The women spoke a great deal about the need to re-socialize children, while the men were concerned with the practical matters involved with implementing the more material aspects of an Indian community. But through it all, we perceived that Caughnawaga has been undergoing a great deal of change.

"You wouldn't have believed this community, say twelve years ago," said Rita Phillips, one of the teachers. "The changes that it has come through - we've seen the change. The people have become more receptive about and are more aware about being Indian. The younger people are growing up without the religious hangups of the older ones. The older ones are more respectful of the Longhouse, even though they say they are too old to change. And you have to respect them for that." Rita Phillips is an eloquent woman, and one that you feel good about as a teacher. As she speaks, she conveys the commitment she has to helping the children find a better future.



All the people we spoke to agree that the changes have come through an education process that involves the schools, the churches, and in particular the Longhouse. Over the years, the Longhouse has raised many controversial issues that the whole of Caughnawaga has had to face. Five years ago there were strong feelings about these issues which divided the community. Now, in 1978, there is a feeling that things are changing.

During our stay at Caughnawaga we had a chance to meet a broad cross-section of the community. At all the various meetings there was expressed a concern about the need for the children to continue to be a Native people. Some feel that change can be brought to the Canadian schools, others support an internalized school system, and there are the supporters of the Indian Way School. What is really different from, say five years ago, is that people representing all of these views are talking to each other. They work together on the school committees, in the PTA, and on a feasibility study of whether the reserve can internalize its own school system.

"Everyone has waited for certain things," Rita says. "You always think of the elders, and this was brought home not too long ago. We look around - who are the elders? It's us! Our own people ask us about their clans, about the culture - we have to come up with the answers. We can't keep waiting, it's our job, and more people understand that now. It's taken us 200 years to get here, it's going to take a while to get out."

The people at Caughnawaga don't expect immediate or overnight success. They know it is going to be a long process.



# WE WILL REMEMBER SURVIVAL GROUP

A thirteen year old boy pulling security, watching the road from the window of a trailer. Three feet away a loaded rifle. "What would you do if a car came ramming through that gate," I ask him. "I'd have to open up," he says.

This is at the We Will Remember Survival Group in Porcupine, South Dakota.

It is near to midnight. The boy doesn't take his eyes off the road. His security shift lasts three hours. He takes it seriously. He should--in the last few months goons have fired shots at the house three times.

"We have a few younger ones sleeping down there," the boy says, pointing to a house nearby. Now he takes the rifle and lays it across his lap. "Ain't nobody gonna get near this place if I can help it."

We Will Remember Survival Group is a school that is no longer a school. One small circle of resistance. Thirty kids dedicated to the sovereignty and integrity of the Oglala Nation, of the Pipe, of a culture and a history, and to the attempt to understand the processes that attempt to destroy that.

It was started after Wounded Knee and because of Wounded Knee.

Madonna Gilbert: "We had to figure out a way to get our children back. We began with that, but right away we had larger questions in mind. Questions of sovereignty. Questions about self-determination."

We Will Remember Survival Group.

Memory.

"We want to hold on to it anyway we possibly can," Madonna says. "We talk a lot about sovereignty and it is our belief that in order to be sovereign we have to act sovereign. That includes teaching our children the truth."

The school, when it was still a school, started out in Rapid City, South Dakota. A population center, two hours by car from the reservation -- with a large population of Indian people.

"We tried to make it in the city," Madonna says. "But we found it very difficult. Everything presses in on you. We realized that this really wasn't it--that we had to be teaching our kids something else. We had to be giving ourselves a feeling for our home grounds. We decided to make the move back home."

Joe Lafferty, one of the young men: "We made this decision together, like everything else we do. It was not something coming from above. When we want to work something out we sit and council. Then we move."

One hundred and sixty acres of Lakota land was made available to them by Sarah Thunderhawk, a long-time AIM supporter. "I wanted them to have this land, she says. "I wanted it to be theirs, because I believe in our sacred religion and I believe that these kids want their sovereignty most of all. I know they will respect it."

"Of course, we are still surrounded," Madonna says. "Less so here than in the city. But even so."

In many respects, even now, five years after Wounded Knee, Pine Ridge is in a virtual state of siege. There is a lingering, oppressive violence, much hatred, factions. Everywhere you go there are guns.

"We knew it wasn't going to be pretty," Madonna says. "All the problems that were here in 1973--well, they are still here--they are even worse."

The prevailing racism of much of the white population in the area is now even better organized, she says. The BIA still leases out much of the Indian land-- and development, in the form of cluster housing projects--is making its way to the whole reservation. There is also a tribal election coming soon--a real possibility that Dick Wilson--the old arch-enemy-- will be elected.

"If that happens," Madonna says rolling her eyes, "this whole place is really going to be an armed camp."

Ted Means is one of the main organizers for the Survival Group. He lives in a cluster housing project near the We Will Remember land--and hopes to move his family there in the next few months.

"We needed a piece of land where we could concretely build our sovereignty," he says. "That is why the move back here was so important. Here we have real access to our culture--to the medicine people and frequent ceremonies. I think it is also important that, as a group, we come to a better understanding of our home grounds."

The home grounds are very much under attack these days. On the wall of the living room at Ted's house hangs a large map of the reservation. The whole South-east corner, nearly one-fourth of the map is crossed out. "We recently lost--officially--that whole chunk," Ted says. He grins, shaking his head -- "Officially."

In fact, he says, most of the reservation is now in the hands of white ranchers. "This is a big battle," he says.

An even bigger battle--and one with potentially devastating consequences involves a plan by major energy corporations--such as EXXON--to develop the whole region. It appears that there are substantial



geo-thermal pools under the Lakota lands--a resource which the corporations plan to exploit as an aid to the stripmining of coal in the area.

"What is planned for this land in the next thirty years spells the final days of the Lakota," says Ted.

According to Madonna, the learning process of the Survival Group is organized in such a way as to take into account the totality of oppression that is facing the Lakota Nation. Thus the group is organized into committees that represent areas of concern. These include: natural resources, prisoners' rights, out-reach communications. Every day these committees meet, conduct research and plan and execute actual campaigns on behalf of these concerns.

"Our kids go to prisons, to the trials--they help with media campaigns--they are totally involved," says Ted. "So that there is no compromise for us. We don't expect government funds of any kind. We are going for broke. We want full control of what our young people learn."

This quest for a true and uncompromising look at sovereignty, Ted says, led them to the question of self-sufficiency. "It all relates," he says. "We have some land now. We have a strong feeling. Now we must build and branch out."

This summer the Survival Group expects to raise a garden and begin a cattle project. They will also--along with the local AIM chapters--start bulk-buying food co-ops on the reservation. There is also talk of a radio station with which they can broadcast to their people. "We are going to fight this thing," Ted says.

One of the kids' favorite outreach projects is a youth center. The center is set up in the basement of Ted's house. There is a pool table, foos-ball games and posters all over the walls.

One Saturday night it filled up with the neighborhood kids--about sixty of them. They call this night--SATURDAY NIGHT LIVE!

The Survival Group kids work the center. Here and there you could see them, surrounded by the neighborhood kids, talking about the public schools, and sovereignty, about land, about self-sufficiency.

Since the youth center started, the crime/drinking rate in this particular cluster housing project is down to nearly zero.

Toward the end of the evening, near closing time--the SOVEREIGNTY SISTERS come out. These are the older girls of the Group. They put on some disco music, line up in a row and swing into action. One, two, step, turn -- SOVEREIGNTY, SOVEREIGNTY, SOVEREIGNTY!

The kids all cheer.

Early in the morning. A boy stoking up the stove. Two girls cooking breakfast.

Another young man watches the road through a window. His eyes look red. He looks up at the clock. "Fifteen more minutes and my shift is up," he says. "Boy -- am I gonna crash!"

"Want some coffee?" a girl says.

He nods, extends his cup. Suddenly he straightens up. A car has turned off the road. "Oh, its Ted and them," he announces.

A little later Ted Means comes in the door. "Hey, uncle Ted," the young man says. "Did the patches come in?"

Ted holds up a bag--

"Right on," the young man says.

There is a meeting. All the kids gather--about 35 of them. Madonna is there too, and Mark Tilsen and Joe Lafferty.

"Well, we got them," Ted says, speaking to the group. Madonna holds one up. Everybody shouts.

The patches are to be worn on jackets. They say: We Will Remember on them.

"I know the idea was to have these be like awards," Ted says. "But what the hell, we all deserve awards."

"Right!"

"But we have to remember that when we put on this patch we are making a commitment to our group, to our nation, a commitment of honor all our brothers and sisters who went before us. To honor Buddy and Pedro and Byron--all those who gave their lives."

The kids look solemn. Madonna starts to hand out the patches. "Okay," she says. "Maybe the different committees should plan their work for the day now. We'll begin after breakfast."

THE WE WILL REMEMBER SURVIVAL GROUP  
PORCUPINE, SOUTH DAKOTA  
CAN ALWAYS USE: BLANKETS' CLOTHING OF ALL KINDS, PARTICULARLY  
BLUE JEANS, GARDEN TOOLS, HORSE BRIDLES, NOTEBOOKS AND PENS  
AND PENCILS, GOOD BOOKS AND MONEY.  
WE URGE OUR READERS TO HELP STRENGTHEN THIS EFFORT IN ANY WAY  
THEY CAN.  
AKWESASNE NOTES PEOPLE'





# FARMINGTON, NEW MEXICO :

## "THE SELMA, ALABAMA OF THE SOUTHWEST"

Farmington, New Mexico, began as a small conservative Mormon agricultural community located next to the Navajo reservation. Most of the retail trade was geared to the Navajos scattered in the rural areas. Contact between the Indian and white community on a social and political level was negligible.

In the 1940s the area went through a small oil and gas boom. The area received a large immigration of people from the Oklahoma and Texas oil fields. When the boom subsided, many of these people stayed. These people held to the virtues of hard work, entrepreneurship, puritan morality, and the natural superiority of the Anglo race. They found none of these attributes in the non-English speaking Navajos and grew to despise them. As the Navajo population increased and the Navajo Tribe became a government to be reckoned with this resentment increased and strict law and order was maintained to hold the Navajos in their place. The Navajos accepted their lot.

Now Farmington is experiencing another energy boom, this time with the Navajo owning most of the energy, though they remain impoverished. The most rapidly growing area of the county is still being governed by the standards of the small agricultural community it started out as.

### "NOW THE COUNTRY IS GOING TO SEE, IN ITS OWN BACKYARD, WHAT IT HAS BEEN DOING TO OTHER COUNTRIES FOR MANY YEARS."

In spite of the high principles the founding fathers of the city began with, the city is changing in a way no one can control. Prostitutes with New York accents accost people on the street. Men in hard hats, from all over the country, cram the lounges in the scores of new motels which have sprung up all over town. Prices have skyrocketed. There is construction everywhere. Large tracts of mobile homes have sprung up like weeds. And large safe isolated enclaves with sixty to one hundred thousand dollar homes have arisen for managers and executives who have returned from energy and construction jobs in South America, the Middle East and Africa.

The original white people in the area are getting rich but it is no longer their town. Their position is becoming like the Navajos of the last century whom they moved in on and displaced — except the Navajos remained poor. Indians, in increasing numbers, can be found passed out in the bars, parking lots, and public parks in Farmington. A whole race, faced with an alien invasion, is drinking itself to death. This situation, which has occurred countless times in underdeveloped countries where multi-national corporations have set up shop, has now come home to roost.

"Now," as one Navajo remarked, "the country is going to see, in its own backyard, what it has been doing to other countries for many years."

The situation in Farmington has not brought any sympathy from those in power but rather callousness and repulsion to Indian people from whom they retreat nightly into their comfortable enclaves. The exploding nature of Farmington, with the standard boom town effects of massive divorce, suicide, drinking, child abuse, and other anti-social behavior, is bad enough, but when you add racial antagonism, it becomes almost an insoluble problem. No boom town in recent times has faced this explosive mixture.

The wild stampede for immediate economic gratification is destroying white society but compensating them for their troubles. It is the Navajo who is suffering the most. He is not being compensated, and if he were, the compensation would not satisfy him because he comes from a different world where monetary rewards have only a slight significance.

The local whites, who uprooted the Navajo, are now being uprooted and in the process are pushing the Navajos further down. As the situation continues to worsen, the dream of making Farmington a real community of whites and Indians living with justice, becomes more remote and elusive.

In May 1974, the New Mexico State Advisory Committee held hearings in Sante Fe on employment of Indians by the State. In November, 1974, a Committee report was released entitled *Indian Employment in New Mexico State Government*. Based largely on this report the National Indian Youth Council and the All Indian Pueblo Council filed a complaint against the State for discrimination against Indian People. An investigation found probable cause for discrimination in 82 out of the 96 state agencies. The report released by the Committee at this meeting was a statistical update study entitled *Indian Employment in New Mexico State Government: 1977*.

The report indicated that not much progress has been made by the State from 1971 to 1977 in the employment of Indians. The increase of Indians in that time period was from 1.88 percent to 2 percent of the total work force in a state where 7 to 12 percent of the population is Indian. Indian employees were concentrated in certain agencies. Sixty percent of the Indian work force is employed in the Employment Security Commission, the Department of Health and Social Services, and the State Highway Department. The Indian People employed by the State were shown to be hardly employed at all in the counties with the largest Indian population; namely Sandoval, San Juan, McKinley, and Valencia counties.

Also in 1974, the U.S. Civil Rights Commission held hearings in Farmington following the tragic mutilation slayings of several Navajo men by white youths in that city. In 1975, as a result of these hearings, the Commission released *The Farmington Report: A Con-*

*flict of Cultures*. The report documented severe discrimination problems in northwestern New Mexico and made recommendations for the resolution of these problems.

On October 26, 1977, the New Mexico State Advisory Committee to the U.S. Civil Rights Commission held a meeting in Farmington, New Mexico. This meeting, held in the theater of the San Juan Community College, had two purposes. The first was to release a report on Indian employment by the State of New Mexico. The second was to hear from local residents of Farmington on the status of Indian civil rights in that community.

The first presenter was Mayor Marlo Webb. To supplement his oral presentation he showed a slide presentation that included graphs, charts, smiling Navajo girls behind typewriters and happy Navajo men pushing brooms and digging sewer lines. Mayor Webb, who was in office during the 1974 hearings, called those hearings a waste of taxpayers' money and the testimony given by the Navajos at those hearings "a pack of lies." He then went on to present testimony on behalf of the City of Farmington.

The essence of the mayor's testimony was that there were no real problems of discrimination against Navajos at the time of the 1974 hearings. While he claimed that there was no discrimination problem, he said the City of Farmington had made great strides in improving the civil rights status of its Navajo citizens. The Mayor stated that Navajo employment by the City was 12.4 percent, up from 5 percent two years ago. He cited the creation of a Human Relations Department and a joint federal-city effort to build an Indian center which the City and the Farmington Inter-Tribal Indian Organization would operate as evidence of progress by the City. He also stated that he would appoint a Human Rights Committee under the Human Resource Commission in the near future. The Mayor refused to comment on when such a committee would be appointed or what powers, if any, it would have.

John Redhouse, associate director the the National Indian Youth Council (NIYC) and a founder of the Coalition for Navajo Liberation (CNL), echoed the words of former CNL president Fred Johnson by calling

Farmington "the Selma, Alabama of the Southwest." Redhouse said that in 1977 Farmington was still a racist community. He told the Committee that since the last time they were in Farmington the racial attitudes have hardened, not softened. "We are the niggers of Farmington, the hatred of the Navajo People still exists," he said. "The community's love for our money and our resources is still the same."

"The community's progress has not been a result of moral conscience and goodwill of the City of Farmington, but rather it is the result of continuous pressure by various citizens' groups, civil rights organizations and concerned individuals." Redhouse pointed out some of the "regressive situations" the Navajo People are facing in the community:

The white youths, who confessed to the murders of three Navajo men whose bodies were mutilated in 1974, are now freed after having served token sentences at a boy's reform school.

At least two more Navajos have died in the City Jail as a result of delirium tremors.

The City's current reaction to the energy boom is to ask for federally funded sewers and streets instead of meeting critical human and social needs.

The Navajo People are still victims of consumer fraud, economic exploitation, employment discrimination in both the private and public sectors.

Redhouse said the U.S. Civil Rights Commission has investigated, held hearings, and made recommendations on the Farmington situation. Indian People have marched, demonstrated, and made their demands known. "However," he stated, "the whites have chosen to largely ignore both."

Phil Reno, an economics professor at the Navajo Community College in Shiprock who has been studying energy development matters for the Navajo Tribe, gave a presentation on the social problems caused by the area's energy boom. He stated that northwest New Mexico is "a great basin ringed with low sulphur coal with nearly 4 billion tons of stripable coal (coal located within 120 feet from the surface.) Along the southern borders of this basin are 50 percent of the nation's uranium reserves. Across the northern reaches of the basin are oil and gas reserves. Three-fourths of all these energy reserves are on lands belonging to the Navajo, Laguna, Southern Ute and Jicarilla. Almost all of these reserves have been or are being committed to the great energy corporations such as Exxon, Gulf Oil, Conoco, and others who are almost as large but whose names are not household words."

"Control over the extraction of these minerals has largely passed out of local hands. The corporations will gear the rate of resource extraction to the demands of the market and not to the needs of local people. The nation's demand for energy is increasing at twice the rate of the national population growth. As a response, the population of northwestern New Mexico is increasing at a faster rate than any other area in the country. Estimates of population in the San Juan Basin over the next 15 years start at 60,000 and then go up."

Mr. Reno said the "boomtown" effects on Gillette and Rock Springs, Wyoming, have been documented and it accurately reflects what the future of the Four Corners Area will be. "It is difficult," he said, "to develop programs to ameliorate the impact on peoples' lives because control of the area has passed to distant corporations serving distant consumers. The fundamental cause of the conflict here lies in the powerlessness of the people of the area, Native people in particular, to control their own destinies. The cause and consequence of their powerlessness is social injustice, their poverty in the midst of great resource wealth at the disposal of others. We can grapple with this extreme misallocation of wealth through taxation, through public services, and most of all through helping the American Indians to help themselves."



(This report was drawn from the minutes of the New Mexico Advisory Committee to the United States Commission on Civil Rights dated October 26, 1977.)



# The Indian People Have No Rights

## A BASIC REALITY OF U.S. INDIAN LAW

Early February 1978

The people listened carefully. A few feet away an ancient upright woodstove blazed, and beyond the stove sat the delegations from the Onondaga, Oneida, Cayuga and Tuscarora nations. To the right were seated the Seneca and Mohawk delegates. This is the Onondaga Longhouse, seat on the Iroquois Confederacy, one of the most ancient continuous governments in North America.

The speaker is Tim Coulter. Tall, thin, wearing long hair and casually but neatly dressed, he speaks in the relaxed manner of an experienced public speaker. He is a lawyer, one of a new generation of lawyers who have made work in Indian law their specialty. And he is speaking as a lawyer now, a lawyer who has spent most of his career as a specialist in what is probably the most frustrating area of legal practice in the profession.

"The Supreme Court," he said, "has refused to hear the Seminole appeal because of a technicality. I think it may have been because of a naivete on my part, but a year or so ago, I was fairly certain that if we could get this case into the courts, we would have a chance to challenge some very bad law on the basis of the facts. But the courts have refused to consider the facts."

He spoke in low, casual terms, but his words were serious, and the gravity of his statement was reflected in the faces of those listening.

One of the delegates asked, "What is this law? Who passed it? Where do we find this law?"

"Well," Coulter replied, "It's not a statute. It's not that kind of law. You won't find it in Book 25 [the Federal Indian Code — ed.]. It is a case law which rose out of a court decision. It is an interpretation of law which is upheld by the courts, particularly in cases where no treaty exists."

A man, one of the Cayuga delegation, spoke, "But the courts don't make the laws, do they? Congress makes the law. The courts only interpret the law."

"Well, that's true in a sense. But court precedents have all the force of law, and I assure you that the precedents we are facing have as much force in law as any law passed by Congress."

"At first, I thought that maybe my work was leading me to have a bias in this matter. It seemed to me that the law in this case was so unfair, such a flagrant abuse of people's rights, that anyone who knew about it would be outraged by it. The only possible explanation for the existence of a law like this is that it must be that no one even knows about it. But surely, if people knew about it, such a law could not continue to exist."

"I explained the case to several other attorneys who know little or nothing about Indian law and I asked their opinion. They were shocked that such a law exists. Everyone felt that if this kind of law were exposed, it would spark a movement for change."

"Very few people realize that under the present laws of the United States, the Indian people have absolutely no rights whatsoever. Under a ruling known as the Tee Hit Ton rule, the traditional Seminole people of Florida are having their lands taken from them with absolutely no rights to due process of law and no right of compensation. No other people in the world can be treated in this manner by the United States."

"One of the lawyers in my office pointed out the other day that even if a group of squatters simply moved on the traditional Seminole land, within five minutes they would have more rights than the Seminole people who have had communities on that land for generations."

"A lower court found that the Seminole people have absolutely no rights to their lands — not even a right to due process or a right to compensation. The court ruled, in effect, that the U.S. had a right to simply move in and to take the Seminole land and to remove the people from that land. There is no other law like that anywhere in the world."

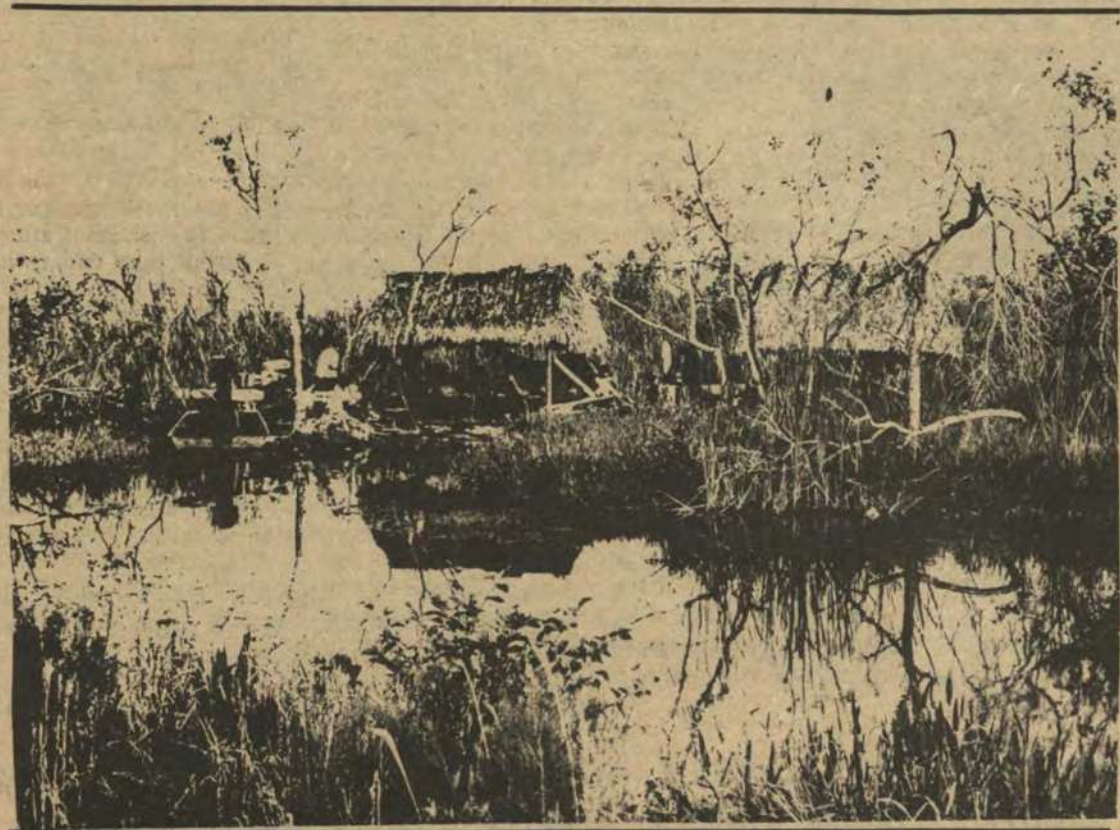
There is an important law in the United States which is a fundamental injustice to Indian people.

The United States has the power, under federal law, to take Indian land without due process of law and without compensation.

"It is a process of law which allows the United States to destroy an Indian people at any time, with no recourse open to those Indian people in the courts."

"I am very discouraged at the prospect of developing legal strategies to press for fair settlements until we have dealt with this kind of law. It is as though we are playing a game in which the opposition has a gun

"When we went to court in the Seminole case, I never dreamed that, in 1977, the Justice Department would dare to go into court and claim that the United States government has the right to simply go in and steal Indian land — without compensation, and without due process. But they did! That's exactly what they did."



with which they can wipe us off the face of the earth any time they wish. First, we have to take away their gun."

One of the young men from the Seneca-Mohawk side raised a question: "What can we do about a law like this? If the courts make a law, by entering an unfair decision, no one has an opportunity to lobby against the effects of that law. It is as though the law is swept under the carpet, away from public view. But the law can be, and is, used against Indian people, and when used, the issues are obscured. The Supreme Court was 'packed' with Nixon appointees, intelligent and educated men, but also men who are not always sensitive to the rights of people, and they will probably be in office for quite some time to come. What do we have to do to change a law like this one?"

A depressed mood settled over the room. The Indian people, especially those who had been struggling for the rights of the Indian nations, have been facing this question for generations. How do the Indian people obtain their rights against the United States? All of the problems of the Indian people find their roots, ultimately, in that question. Coulter spoke slowly, gesturing with his hands, making his points with precision.

"The Supreme Court," he said, "will be very slow to recognize that the United States cannot take Indian land without due process or compensation. It is very important that we attack that law and attitude. We would probably get that law changed through education about the effects and the use of TEE HIT TON v. U.S., but we need to tell people about it."

"When you are speaking on Indian affairs, it would be helpful if you would tell people about this problem. Educate. Expose this kind of law — almost nobody knows it's there."

"We've got to make them stop using that kind of law. Try to get articles written about it — ask people to spread the word."

"Go to support groups and point out that Indians are the *only* people whose land can be stolen. The objective is to begin to activate public opinion."

"And a three-judge federal court upheld their position. But the really disturbing fact was that when the Supreme Court refused to hear the case, THREE of the Justices said that, had they heard the case, they WOULD HAVE UPHELD the lower court ruling. This is very disturbing."

Another question was raised. "Won't the American people realize that, if the courts can make a law which denies the most basic of rights to traditional Indian peoples, it is very possible that they could extend such laws to all people, non-Indians as well? Can't we explain to them that the same kind of thing could happen to ANY people?"

There was a momentary silence. Coulter had sat down on one of the wooden benches for a moment. He had been talking on this and other matters for more than two hours, and had mentioned earlier that morning that he was not feeling well. At one of the short breaks, he had said he was nearly exhausted. But now he spoke with a renewed energy.

"Most of these conflicts will not be dealt with in the courts. It is expected that many of these conflicts will be negotiated on the international level. Up to this point, the major focus of the Indian movement has largely missed the most essential problem, which is the basic denial of the rights of Indian people. That needs to change."

"Talk to the people. Courts aren't the only thing. Every time you meet with government people, point out the inequities of the law. If we can bring these problems to the attention of the people, Indian and white, these things may change. Write. Put articles in newspapers, magazines. It is an outrageous application of the law, and when people find out about it, we should be able to mobilize people to support our position."





## U.S. DISTRICT COURT AFFIRMS TEE-HIT-TON RULE

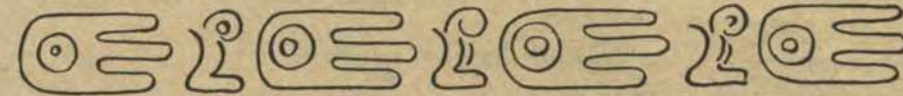
### SEMINOLES DENIED RIGHTS TO LAND THEY HAVE OCCUPIED FOR GENERATIONS

Guy Osceola is a Seminole who resides in what is now called the State of Florida. He and his people have occupied their lands for generations. They are a separate and distinct group of Seminoles, numbering from one to two hundred persons, many of whom live in remote areas of the Everglades and who speak only their Native language.

In 1950, proceedings were instituted by the federally recognized Seminole Indian Tribes of Florida and Oklahoma before the Indian Claims Commission. Those proceedings sought compensation under the rules of the Claims Commission for lands in Florida taken by the State and Federal governments. The lands for which compensation would be sought include those occupied and possessed by Osceola's people. Osceola brought suit in a federal court to halt the Claims Commission proceeding on the grounds that the act, which created the Indian Claims Commission (25 USC 70 - 70v), is unconstitutional on its face and as applied to the Everglades Miccosukee Tribe of Seminole Indians (Osceola's people.)

The Federal District Court for the District of Columbia dismissed the suit last May, stating that the plaintiffs had no cause for action because there was no present action which would disturb the plaintiff's possession of lands, and because the plaintiff had no other rights to the lands other than simple possession.

Osceola and his people claim that the Everglades Miccosukee Tribe holds "Indian Title" to the land on which they reside by virtue of aboriginal possession. The suit argues that this aboriginal title was not disturbed by the



treaties of 1823 and 1832 because his ancestors (the Everglades Miccosukees) were not allowed meaningful participation in those agreements, and that, his ancestors' rights in the land were further recognized by the United States in an Oral treaty in 1842. The Justice Department motioned to dismiss the suit on the grounds that the Miccosukee property rights claimed by Osceola are not protected by the fifth amendment because Congress has never recognized any Indian rights in the disputed land and that, in any event, any rights which the Everglades Miccosukees may have in the subject territory will not be affected by the award of the Indian Claims Commission which is sought to be enjoined by the lawsuit.

The District Court decision stated that the concept of original Indian title originates in a legal doctrine dating from the opinion of Chief Justice Marshall in *JOHNSON v. M'INTOSH*. At that time, (1832) the Supreme Court held that the 'sovereign' held exclusive title to all aboriginal Indian lands, subject to a right of occupancy in the Indians still residing there. "Indian title conveys no more than a right to use and occupy the land at the will of the United States."

The *JOHNSON* decision was reaffirmed in 1955 in *Tee-Hit-Ton Indians v. U.S.* The Tee-Hit-Ton Indians of Alaska had argued that their rights under the U.S. Constitution's fifth amendment were violated by the refusal of the U.S. to compensate them for timber taken from land which they had claimed, occupied and used, and which they had never surrendered. The United States argued that the U.S. was not obliged to compensate the Indians for this timber because Congress had never recognized the Indians' claim to the

land. In other words, Congress has the right to steal Indian timber or land because that right is assumed and has been upheld in court decisions, and the Native people have no rights in land or resources unless that right is specifically granted by Congress.

### PERMISSION OF THE WHITES TO OCCUPY

In the *Tee-Hit-Ton* case, the court said: "It is well settled that in all the States of the Union, the tribes who inhabited the lands of the States held claim to such lands after the coming of the white man, under what is sometimes termed original Indian title or permission from the whites to occupy... This is not a property right but amounts to a right of occupancy which the sovereign grants and protects against intrusion by third parties but which right of occupancy may be terminated and such lands fully disposed of by the Sovereign itself without any legally enforceable obligation to compensate the Indians."

"...No case in this Court has ever held that taking of Indian title or use by Congress required compensation. ...Indian occupation of land without government recognition of ownership creates no rights against taking or extinction by the United States protected by the Fifth Amendment or any other principle of law."

The District Court further quoted a 1974 decision which upheld the right of the United States to take Indian lands, and which used the Doctrine of Discovery as the basis of that right:

"Harsh as these rules may seem, they remain the law applicable to plaintiff's claim. In a much more recent decision than *Tee-Hit-Ton*, the court noted in dictum the salient aspects of the law of Indian title:

"It very early became accepted doctrine in this Court that although fee title to the lands occupied by Indians when the colonists arrived became vested in the sovereign - first the discovering European nation and later the original States and the United States - a right of occupancy in the Indian tribes was nevertheless recognized.... Indian title, recognized to be only a right of occupancy, was extinguishable only by the United States."

The court cited three principles which have a direct bearing on the decision: 1) fee title to the Indians' aboriginal land is vested in the United States even if an Indian tribe can claim that it originally held Indian title to the land; 2) any right which Indians today may have in former Indian territory is a mere right of possession or occupancy, and is subject to taking or extinction by Congress at any time, and 3) recovery for past wrongs to the Indians is merely a matter of legislative grace rather than legal liability on the part of the United States.

In so ruling, the court upheld the long-protested application of United States law which asserts that the United States owns the Indian lands by right of discovery, that the United States has always owned the Indian lands, that the Indian people have no rights to those lands, except rights of occupancy, and even those rights of occupancy are not protected by law, and that the Indians have no right to compensation for the taking of those lands. Any compensation is simply a matter of 'grace', which means that if the United States chooses to steal Indian lands, they may do so legally and without any fear of restraint from the courts.

### NICARAUGUAN ARMY BATTLES NATIVE PEOPLE

Since January 23, newspapers have been carrying stories about strikes, riots, and demonstrations in the Central American republic of Nicaragua. Recently, the Associated Press (AP) carried dispatches about fighting on Nicaragua's East Coast between the Army and Native people. The most recent reports have stated that there had been three days of fighting and that the government reported 23 Native people killed.

During the recent Geneva conference, it was brought to international attention that trouble was brewing between the Native People and the Nicaraguan government. The government of General Anastasio Somoza had recently completed a highway that passed through the center of territories claimed by the Mesquito Nation. The highway is the first major roadway to link the Pacific Ocean and the Caribbean sides of Nicaragua.

Leaders for the Mesquito Nation explained that the highway had been built to open their territories to mineral and oil exploitation. As early as July, 1977, word had been received that the Mesquito people were going to do everything in their power to stop Western expansion into their lands. During the Geneva conference they explained that they fully understood what Western colonialism would do to them, and they wanted nothing to do with it.

The Somoza regime may be hard pressed to carry on a jungle war in Eastern Nicaragua. The weeks of riots, strikes and demonstrations have tied up hundreds of troops and police in the cities. At the same time, other guerilla groups have been conducting raids against troops throughout the country. One school of thought sees the rising resistance a result of decreased United States support of the Somoza regime. President Carter has apparently decided to cut off arms aid to Nicaragua under a 1976 law requiring that human rights violations be considered in allocations of military aid. In any event, the resistance may signal the beginning of the end of a military dynasty that began in 1934 with a United States Marine Corps intervention in Nicaragua.



### THE LONGEST WALK

"The Longest Walk," (2800 miles) left San Francisco on Saturday, February 11. The march, the first of its kind by Native people, began with a pipe ceremony on Alcatraz, site of a dramatic occupation in 1969 which many identify as the birthplace of the national Indian movement this decade. The march is expected to culminate in a meeting with President Carter and legislators on the subject of Indian rights.

Marchers planned to walk through California, Nevada, Utah, Colorado, Kansas, Missouri, Illinois, Indiana, Ohio, and Pennsylvania to Washington, D.C.. The journey is expected to take 4 to 5 months. The march is intended to arouse public support in opposition to Congressional efforts to limit Indian hunting and fishing rights as guaranteed in treaties with Native nations.

Former American Indian Movement leader Dennis Banks said: "This will be a battle against apathy because if people knew about it, I don't think these things would go through as quickly or easily... Our concern is that hunting and fishing rights for many tribes are their very livelihood. It's their way of life and it means everything."

### BOOK EXPLORES THE DECLINE OF THE HUMAN SPECIES

Marvin Harris, an anthropologist at Columbia University, has written a new book which argues that many of our species' ills (including war, the energy crisis, sexism, and the Nation State) have their roots in man's global quest for sources of protein. He says that, with the decline of the populations of big game animals - the end of the Pleistocene - the human species has been faced with an inability to maintain an adequate diet for its populations.

His new book is called *Cannibals and Kings; the Origins of Culture*. It contains a thesis which is apparently growing in popularity among people who are studying the subject: the human species has been declining in its ability to sustain itself since the Paleolithic (the Old Stone Age,) and many of our contemporary problems can be traced to the history of that decline.



### NAVAJOS REJECT WESCO PLAN 48 - 8

No coal gasification plant will be built in Burnham, New Mexico. The Navajo Council has rejected a proposal by Western Gasification Co. (WESCO) to build the pioneer project on the Navajo Reservation.

The vote (48-8) ended a proposal by WESCO that the Navajo Nation become a partner in the venture. WESCO had spent \$50 million planning the \$1.4 billion project. WESCO had proposed a new lease, offering an increase in dividends from 8% to 12%. The new deal also proposed that the Navajo people invest in the deal to the tune of \$174 million for a one-third interest in the plant.



# The Northern Cheyenne..... Defending The Last Retreat.....



Lame Deer, Montana — Last August, the Northern Cheyenne people became the first people in the U.S. to win a Class I Air Quality Redesignation for their Southwest Montana reservation.

Class I status allows for very little air pollution from new industry. The Cheyenne land lies within the vast Fort Union Coal formation. If power companies — and it seems, the federal government — get their way, this still-natural reserve will be literally surrounded by strip-mines, generating stations, and gasification plants.

Construction of a third and fourth power plant at Colstrip, twenty miles north of the reservation border — two are on line there already — has been at issue. With the Class I victory, Cheyenne, environmental, and anti-coal rancher activists had expected colstrip 3 and 4 to be blocked. That seemed even more certain when, two days after the Class I ruling, more stringent air pollution regulations for many kinds of industrial development became law. The Environmental Protection Agency, which must grant clearance for such facilities to be built, set March 1 as the implementation date for that new design code period. This was to allow permit granting to be done, said EPA, in an orderly fashion. In the intervening months, dozens of applications were requested anyway, by companies scrambling to build their projects under the old rule, and thus avoid the expense of new anti-pollution devices or delays while their plans were re-drawn.

The Cheyennes were surprised to learn, in mid-January, that EPA had granted "preliminary approval" for construction of Colstrip 3 and 4. According to data compiled by the tribe's Northern Cheyenne Research Project and the testimony of outside consultants, emissions from the two plants will cause serious deterioration of air quality in this locale, endangering plant and animal life. Coupled with the influx on non-Indian workers on the project, the Cheyennes' very survival is threatened.

Tensions were running high by late February. Then a week before the March 1 effective date, the Environmental Defense Fund sued EPA. The environmentalist group contends that the tightened anti-pollution rules should have taken hold when passed into law August 7. Pending the outcome of the case, EPA agreed to hold off signing new construction permits, though continuing to process applications through to the point of granting "intent to approve."

The Agency then announced two exceptions to its own March 1 rule change: an oil refinery near the Canadian border in Maine and Colstrip 3 and 4. Both projects have provoked opposition in their regions, and would not, it is charged, meet the new design requirements. In both situations opponents had asked for extensions on the comment period required in the permit-granting process. EPA now says it will take public input until March 18, but that those applications will be judged under the old, less-stringent regulations.

In Lame Deer, on the Northern Cheyenne, it was hard to tell if peoples' sighs came more from frustration or boredom. "Jacked around again," said a woman staffer at the Research Project, summing the situation up to zero.

But things don't stand still in the battle over Colstrip. Three days later, a Montana judge surprised everyone by revoking the state's permit for the plants, calling the process through which it had been granted "a travesty." The Montana Power Company, which wants to build them, answered with a crackle of threats like rawhide snapping: Ten years of economic depression, power blackouts, no service for new customers. Radio announcers passed its statements in a tone of breathless alarm. Workers in Colstrip got angry. In the camps of the Indian and rancher resistance, there was a ripple of elation and then a collective deep breath. Now come appeals and counter-suits, and more years of hassling.

The Northern Cheyenne have been playing a pivotal role in the fight for Native control of the resources on reservation land. If their efforts have caused less flap than some of the more visible actions of the Native Movement, it does not mean they have been less powerful.

The coal deposits at Northern Cheyenne were inventoried by the U.S. government in the 1960s. Within a few years, at the urging of the Bureau of Indian Affairs, a deliberately mis-informed tribal council had given coal companies exploration and mining leases for over half of the reservation's 450,000 acres. When another company offered much better terms for a lease it sought, the tribe realized it had been taken. On investigation, they found 36 violations of the law by BIA and companies, from illegally large lease tracts to inadequate environmental studies. People here have long dug coal on a small scale for heating and cooking, and there has been some mining at Colstrip since early 1900. But what they have known is of an altogether different magnitude from the wholesale stripmining and the non-Indian boomtowns planned by the energy companies for their reservations.

In 1972, the tribe petitioned then-Secretary of the Interior Morton for a cancellation of all the leases. Morton instead suspended them, "pending mutual agreement" between the companies and the tribe. The Cheyenne remained firm in demanding cancellation. "We don't negotiate with the companies until they tear those leases up in front of us and burn them," says Tribal Chairman Allen Rowland. "And we can start over on our terms, not theirs."

The ramifications of this action were widespread. Several other tribes in the Northern Plains Coal-boom region petitioned similarly for lease cancellations. Others awakened to the dangers lurking in the friendly approach of the developers and the eager introduction they were being provided by the BIA. The companies have learned that exploiting Indian resources is not necessarily easy. An official of one company in North Dakota said recently that, while there is coal to dig on neighboring non-Indian lands, his firm will not try to exercise a suspended mining option it holds on the Fort Berthold Reservation. "For us," he said, "the jurisdictional questions are just a can of worms."



Though poor by non-Indian standards, there is a vibrant potential for the Northern Cheyenne to manage their economy and survive. Only one in eight people on the reservation are white, and a stunning 98% of the land is in Indian hands. This is due partly to external factors — allotment was begun here only 8 years before it ended as a national policy, so not much land was removed from common ownership. It is also a testament to the communal spirit of the tribe. Since the 1960s the tribal government has been buying back land that had passed into white ownership. There is an Indian Reorganization Act government functioning here, which replaced the old political form of the Cheyenne. It is not sovereign in an ultimate sense. Tribal actions are still subject to approval by the U.S. government. But the tension between traditional and elective leadership that has torn so many Indian communities seems absent. So does the corruption and greed that characterizes too many elected officials on their reservations. The tribe has taken over contracts for twenty formerly BIA-run service functions, such as the reservation law enforcement and the Indian Health Service. The BIA maintains a presence, but no longer has quite its accustomed domain as colonial overseer.

Then, too, there are resources here with which a working economy could be developed. The air is clean. This is a dry region, but there is accessible water and irrigation experiments are underway. It is good range land, and in addition to cattle there is a buffalo herd being raised by the tribe. There is ample Ponderosa pine, another renewable element of an economic base. There is all that coal. Right now plans are limited to a small-scale, tribally run mine to provide household fuel for the community. But the Cheyenne have hardly forgotten their coal's marketability. And there is that most important resource — people — with that essential quality, the will to make it through.

Coming from an experience of Indian communities not fortunate enough to be this intact — and as a non-Indian, for whom these questions are more likely abstract than real — I am struck by the sense of the possible here. The debate is less one of "sovereignty or not" than over very concrete problems of what to do this week and next year. The long-distance views and theoretical ideas — "Will Native sovereignty require a revolution in the U.S.?", or, "Are Indian people one nation or many nations?", seem laughably irrelevant. There may well be Cheyennes mulling those over, and the problems being grappled with here have implications of those concerns.

Should coal development on the reservation be limited to local use, or can the tribe control it enough to export some in exchange for other goods? Should the direction be toward a disassociated self-sufficiency, or toward tribally-controlled participation in the outside economy?

It is exciting. But too, there is the world beyond this place. Colstrip, up the road, a pack of other mongrel projects up the road ready to chew the neighboring prairie to shreds if the Cheyenne's Class I status won't make them heel — something else will have to do it. And there won't be any such thing as a clean reservation surrounded by all that foulness. It is touch and go now, on the environmental protection front. And shaky too, with the whites around. For every half-hearted rancher ally there are two violent racists and a crowd who plain don't care. No wonder Cheyenne people so often call on their grandparents' trek through Oklahoma. If they could get through that one, there is hope.

At Northern Cheyenne the threat of coal development focussed renewed attention on defending the tribe's precious land base. The Northern Cheyenne Research Project was established to gather the information tribal members would need for the crucial decision they face — data they realized could not be expected from the BIA. A number of legal actions were initiated, and several of those are as far-reaching as the lease suspension in their implications for the Cheyenne, other Native peoples, and the future of natural resources use.

One, the Hollow Breast decision was a 1976 Supreme Court ruling that the tribe has control of all mineral rights on its reservation, regardless of who owns the surface of the land. This precedent will be especially important on reservations which have become checkerboarded of tribally-owned, non-Indian owned, and allotted Indian parcels, preventing individual owners from agreeing to mineral development against the wishes of the Native community as a whole.

The Class I Air Quality redesignation was another ground breaker. The Cheyenne were the first to apply for and win that status, under provisions of the Clean Air Act. Without the aid of anyone's previous attempt, their Research Project produced a report that argued successfully for the protected classification and is already being used as a model for other Class I actions. Despite its legalistic form, it is a moving document. "Every moment of our lives we are surrounded by air," the introduction reads. "Air has its own special feels — cold, biting, soft, warm, damp. In its normal state, most people never give it a second thought. On the other hand, if air is bad, people notice it right away. We have been thinking about our air, not because it is bad now, but because there is a very good probability that it will be polluted from off-reservation sources in the near future."

EPA's intent to grant a permit for Colstrip 3 and 4 throws the Class I designation (and the agency's own function) into question. Of course, no one acquainted with Indian affairs will put too much faith in the protection of the law. Yet, the Northern Cheyennes have achieved some remarkable victories in the battle over natural resources, and all the more impressive for the quiet determination with which they have been gained.



The Cheyenne commitment to survive as a people is a strong one. In 1878, three hundred escaped the Oklahoma "Indian territory" to which they had been exiled in a desperate attempt to get home to these Northern Plains. Pursued for 1500 miles by thirteen thousand troops, starving, on foot in the snow, captured and escaping again — only a handful finished the impossible journey. It is because of their endurance alone that their grandchildren have a reservation here at all.

Since that time, another culture has settled itself around this Native island. Broadly speaking, the white ranching folks have things in common with the Indians — an intimacy with these hills and dusty ranchlands, for instance. There has been a tactical alliance between the two groups in opposing coal development. But the differences are more striking. Cheyenne religion and language are very much alive. Many of the Indians speak no English at all. That must be seen as an accomplishment, given a century of cultural assault at the hands of the BIA. Formerly nomadic, the Northern Cheyenne have rooted their community to this place in a way that only the exceptional non-Indian might try, and then, as an individual. Cheyennes note the last resort option of rural whites faced with an energy boom is to sell out and move on — one which they do not have if they wish to retain their culture. "For us," they say, "there is nowhere else to go. This is our last retreat."

### THE NORTHERN CHEYENNE RESEARCH PROJECT - SERVICING AN EVERYDAY SOVEREIGNTY

When the Cheyenne realized how seriously they were threatened by coal development, their council set up the Northern Cheyenne Research Project. Five years ago, two staffers were grappling for a start in banking up the environmental and social data behind which the tribe could defend and plan its future. Now there are two dozen hard at work. Their efforts have ensured the inclusion of Indian provisions in federal stripmining legislation, and have halted — for now, at least — the construction of Colstrib 3 and 4. They are also providing the Cheyenne with a steady, tribally-controlled source of expertise.

Coordinator Dick Montelu, a Rocky Boy Cree, acknowledges the NCRP's aggressive role in the politics of off-reservation development. As the Northern Cheyenne take steps toward controlling their own economy, he sees another purpose as well. "Maybe our best service," he muses, "is to assist the tribe in exercising its sovereign rights every day."

Though Cheyennes work in the project as research assistants and trainees, most professional jobs in the group are held by non-tribal members, and most of those are non-Indians. There is a simple lack of Cheyennes with a technical background. Only one of the seventy-five studying in colleges last year followed a science-oriented program. Research project staffers are designing curriculum for reservation schools now. The process is slow, but people in and out of the research project agree that ultimately it is for the Cheyennes to run.

Tensions over this appear minor. "We need these people now," says tribal councilman Herman Bear Comes Out, simply. "There is no choice." For tribal members, confidence in the durability of the Cheyenne community may help allay fear of domination by the outsiders. Despite an occasional non-Indian with whom there were problems, the tribe has done well in hiring a staff that respects its situation. Sociologists and land-use planners at NCRP are apt to include a critique of their profession's paternalism toward Indians when they write up their work. There is active sensitivity to the ways in which "objective sciences" like anthropology have been used to penetrate Native cultures. Encouraged by the tribal council, with which the project works closely, there is a reluctance to freely disclose statistical information about the tribe and its reservation for example.

Dick Monteau credits the thrust of coal development with providing a cause around which the tribe could focus and regain control of its situation. Other Indian nations face resource grabs, and might consider putting together research groups of their own, he suggests. "But there are other things for a tribe to act on," he points out. "Like the constitutions that leave every move subject to federal approval. It really depends on what is possible, and it needs some imaginative thinking. Like what King said to the Blacks — 'We have to take the slave out of ourselves.'"

The Cheyennes value the work of the Research Project and rely on its aid in their economic and social planning. In turn, the staff appreciates the people of the tribe. "I am impressed with their patience," says Monteau. "Some of them are so goddamn poor. They've never owned a car in their lives, and they hitchhike everywhere they go. And yet, they are standing on billions of dollars worth of coal."

Jonny Lerner

# Through The Looking Glass: The Duck Valley Conspiracy

THE IDAHO STATESMAN, a Gannett Newspaper based in Boise, Idaho, charged in its Sunday, January 29, edition, that BIA officials have deliberately attempted to manipulate the internal affairs of the Duck Valley reservation to insure that "those Indians who support the BIA maintain control of the [reservation] government." The STATESMAN went on to allege that BIA personnel had been responsible for the virtual breakdown of tribal government at Duck Valley, had engineered an extremely questionable justice system paid for at least partly by a U.S. Law Enforcement Assistance Administration grant, and had taken actions which amount to support to a request by county officials for control of recreation rights on Wildhorse Reservoir, one of the reservation's few potential sources of revenue. Duck Valley is a Shoshone-Paiute reservation located on the Idaho Nevada border, about 100 miles south of Mountain Home.

Informed sources state that, beginning in 1976, BIA and other U.S. government employees created and/or took advantage of paranoia among reservation people resulting from a scare that AIM boogey-men were coming to take over. There was a take-over, true enough, but AIM was nowhere in sight. Instead, what REALLY happened was that the whole reserve became divided into two bitter camps and while the two factions were struggling with each other, the BIA managed to seat a pro-BIA non-Indian tribal court judge. The internal struggle, the BIA, and the tribal judge combined to a) recall three tribal council members, b) disallow the reestablishment of the tribal council by anti-BIA people, and c) force the seating of ousted pro-BIA forces to the council through injunctions handed down by the non-Indian tribal judge.

The reservation court system was centralized and the Indian Justice Commission of Nevada was formed following information to the LEAA that "subversive" elements might gain strongholds on the reservations. The result was police and court systems under non-Indian control. Following that, Duck Valley police began receiving some publicity for suicides at the jail and because they had hired a policeman who was under investigation for a shooting at another reservation. (The publicity caused the policeman to resign.)

Then there was the case of the chief tribal judge who wrote dunning letters on behalf of white businessmen. The letters were written on court stationary and threatened civil suits if the bills weren't paid.

And there was the time that the federal government gave a prime lease to a non-Indian businessman who planned to construct a recreation complex on the shores of Wildhorse Reservoir, a pond constructed specifically to provide irrigation to Duck Valley. Water means life in this arid part of the country.

And life can be said to be a tenuous issue here. Despite an estimated \$380,000 spent on welfare assistance last year in one form or another, Duck Valley has serious problems with alcoholism, and the suicide rate in 1977 was an astounding 40 times the U.S. average!

Now, let's see, how can we capsulize all this? First, the place was thrown into a panic because, someone said, some AIM subverts were going to move in and take over. But no, wait. Before they got a chance, pro-BIA folks got to arguing with anti-BIA folks and before you know it, the U.S. government has its own judge sitting in, running the show. And it was done on a law-and-order platform, once again.

Where was this place again? Oh yes, Duck Valley. A couple of new twists here. Usually the BIA guys don't come quite this far out in front. They usually manipulate from behind the scenes — no fingerprints that way. Usually they stonewall such actions out of sight and out of mind, practicing the great American power trip on folks who haven't even begun to figure out what it's all about.

And what about the AIM subversives who were supposed to be coming to take over? Shadows in the night, of course. In the scores of incidents on Indian reservations that have been almost identical to this one, the AIM people have never once materialized, and not AIM or anybody else has ever "taken over," by force or by trickery, an Indian reservation.

But the BIA, unfortunately, has done exactly that on many, many occasions. We have met the enemy, and he really is us! It's scary. For Indians and non-Indians alike. Keep telling yourself that it only happened on some remote Indian reservation in Nevada.

## THE EAST SENECA NATION TREASURER INDICTED ON CONSPIRACY CHARGES

For most of the past decade, Robert Hoag has been the acknowledged boss of the political machinery of the Seneca Nation of Indians, composed of the Cattaraugus and Allegany Indian Reservations. Because of peculiar regulations in the Seneca Constitution, Hoag has alternated in recent years with Calvin Lay, serving as president for two years, then as treasurer for two years, then as president again. For all of this time he has been a staunch supporter of BIA policy. He was voted, at one time, Man of the Year by the Salamanca (N.Y.) Chamber of Commerce, and has been a major party to every major concession or business agreement entered into by the Nation including lease agreements with the City of Salamanca (which occupies leased Seneca land on the Allegany Reservation.) At one point, his brother-in-law was the mayor of the city.

But early this March, Robert Hoag was indicted by a federal grand jury on three counts of wrongdoing. He is charged with conspiring to "...embezzle, steal, and knowingly convert to [his] own use, sums in excess of \$100 which were then and there moneys, funds, credits, assets and properties belonging to the Seneca Nation of Indians."

The case involves an alleged meeting on October 5, 1976, at which Hoag met with Bradley Redeye, then Chief Game Warden of the Seneca Nation. Hoag allegedly instructed him to recruit other Seneca Nation members to influence their votes by entertaining them with drinks and by bribing them with money. Hoag also allegedly told Redeye that he and others could obtain the money for the election campaign expenses by

submitting false vouchers for overtime work and mileage in connection with their work for the Seneca Nation.

Redeye and four others then allegedly submitted vouchers before the election for a total of \$10,357 for claimed overtime work and mileage. Some members have charged that vote-buying and election fraud has been common in Seneca elections, especially since the Kinzua Kam settlement in 1964. Previous complaints to U.S. authorities, as recently as complaints under the Nixon Administration against Hoag's regime, had produced no investigations and no court actions of any kind.

Count One of the indictment against Hoag lists sixteen alleged overt acts of conspiracy of theft and embezzlement of Seneca Nation funds.

It has been rumored that Calvi Lay, current President of the Seneca Nation, has been offered immunity from prosecution in exchange for his testimony. Hoag has long been one of the most outspoken opponents of traditional people, the leader of the "progressive" party of Senecas which advocates adoption of BIA policy and which has also tried on several occasions to introduce various "economic development" projects on Seneca lands.

In an unrelated matter, during testimony taken at the Wampanoag trial in Mashpee, Massachusetts, it was disclosed that Leslie Gay, the BIA official in charge of Indian affairs in the Eastern United States, and specifically over Seneca Nation affairs, is a former employee of the Central Intelligence Agency, and that he has served in the Soviet Union.



# A BORDERLINE CASE.....

## THE AKWESASNE BORDER CHRONICLE

(Akwasasne is a Mohawk community located along the St. Lawrence River. On the maps, it appears at that spot where New York State converges with Canada, and also where Ontario and Quebec touch New York State.

At least, that's how it appears on the map. The Mohawk people have long contended that Akwasasne is not part of any of those entities - that the portion south of the St. Lawrence River is not within the United States or New York State, and that the portion to the north is not part of Canada, Ontario, or Quebec.

The Mohawks have always contended that Akwasasne is a separate territory. From time to time, jurisdictional disputes have arisen, disputes which contain potentials for violence which no one wants to see materialize.)

AKWESASNE - February 1978

News had spread quickly among the Mohawk people. A few days earlier, the New York State police had given three citations to a Mohawk man who was driving an oil delivery truck to peoples' houses at Akwasasne. The man, a Mr. Lazore, resides on the reservation, but he lives in that portion which New York and Canada like to consider part of Canada. He was given citations for, among other things, driving a vehicle without a tax stamp (under a taxation ordinance of New York State,) and for driving an overweight truck.

Mr. Lazore operates Akwasasne Fuels, a small distributorship with clientele almost wholly within the Akwasasne territory. Many residents feel that he is targeted for harassment because the local U.S. side distributors would like to put him out of business because his prices are the lowest around. And because he is a Mohawk.

This day the people were gathered at the longhouse to await the arrival of the New York State police. The police, apparently wishing to avoid any future avoidable trouble, had responded to complaints surrounding the issuance of the traffic citations with a statement that they would meet with the traditional people at 2:00 this afternoon. The Mohawk people had notified others within the Six Nations of the meeting, and a delegation of Onondaga people had arrived. Also at the meeting were people from the Oneida and Seneca territories.

The two troopers arrived promptly at the designated hour. They were met outside the longhouse and asked to leave their guns and badges outside the building. There were two policemen. The first, an officer, was tall, thin, blond, a man of impressive appearance. The second, a shorter man with a mustache, was a sergeant. They were seated on a bench near the center of the room. The taller man introduced himself as Lt. Hook of the State police detail at Canton, New York, a small town some distance south of Akwasasne.

One of the Akwasasne chiefs, a thin younger man with long braided hair, rose to speak. He got right down to business. He said that information had reached them that a young Mohawk had been given traffic citations of Akwasasne territory.

"This is very upsetting to our people. Our people made an agreement that we would honor one another, long ago. When something happens, it breaks our agreement."

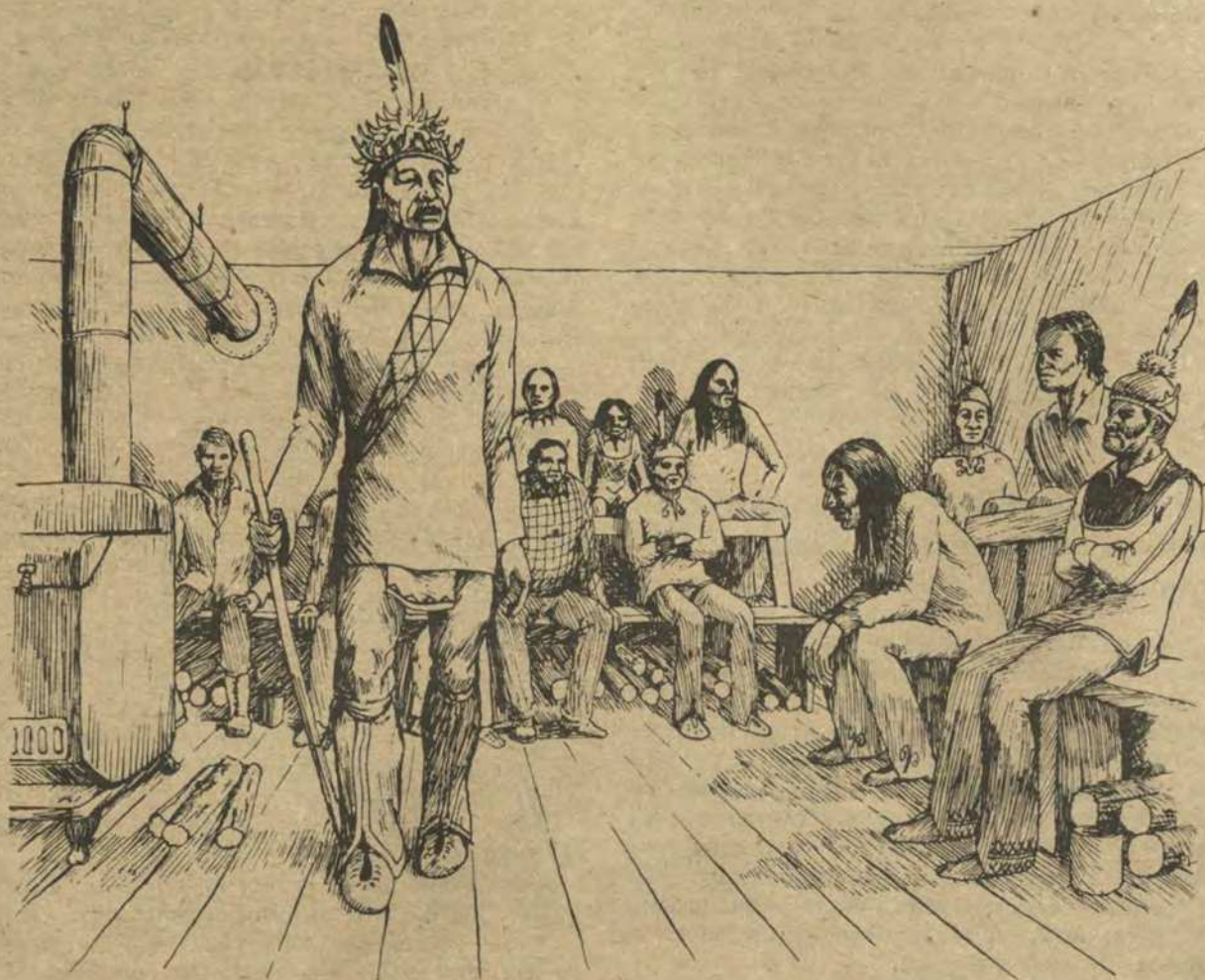
The question of jurisdiction was one which Lt. Hook had encountered at other times in his career. He knew that the Indian people take the position that under the treaties, the Indians are not subject to New York State law on their own lands. He also knew that trouble sometimes breaks out when New York State police agencies try to enforce their laws on the Indian land.

Lt. Hook rose to his full height. He spoke in slow, reasoned tones, gesturing with his hands as he spoke.

"My captain told me to take care of this. My position is this. I do not make the laws. I cannot be selective. That means that I can not give tickets today to Polish people, tomorrow to German people. I try to apply the law in the same way to everybody."

"The troopers saw a truck, and stopped it. According to the law, any truck over 8,000 pounds must have a tax plate. Any truck from Ontario, (Canada) over 6,000 pounds must have both New York plates and Ontario plates. Now, if the courts feel there is an exception here, that is perfectly all right with me. If the courts make this decision, then we won't write these tickets anymore."

One of the Onondaga chiefs, a distinguished-looking man with long hair and the courteous manners of a diplomat, rose to speak. He is Chief Joahquisoh of the Turtle clan.



"I think it is possible that you do not fully understand the issues here," he said. "The question does not involve the equal application of the laws. The question involves the validity of the New York State in the Mohawk territories. You used a phrase - 'when the truck is in New York State.' Akwasasne is not in New York State. When you came over our border, you came into another country."

The longhouse was silent, except for Joahquisoh's voice. The Lieutenant listened carefully to what he had to say. Several times his eyes responded to the statements, it was hard to tell if he had been truly aware of his own position in his opening statement. Had he really thought that, somehow, miraculously, in the period of a few years, or a few months, the Indian position on jurisdiction had changed? Had he never been briefed about the Indian claim to sovereignty over the territory of Akwasasne? Had he entered the room hoping the Indians had forgotten all about the treaties, that somehow the conflicts which had embroiled the State Police last year, and ten years ago, and fifty years before that, all the way back to the earliest records which the state had concerning dealings with Indians - had he hoped that somehow all that had changed or been forgotten? Or was he truly uninformed?

"I know you report to a higher command," Joahquisoh continued. "The Mohawks are part of a larger group, the Hau de no sau nee. There are six nations. We all have the same concerns. We (at Onondaga) are gathering the sheriffs and the state police to meet later this month in the Onondaga longhouse. There will also be people from the Department of the Interior, and one from the office of the President... I believe, in the light of these questions, we can see a need for discretion on the part of your officers."

"Our position is a simple one. In 1974 our peoples made a treaty. The treaty provided for 'passage through' our territories. It does not mean 'jurisdiction over...'"

"We just came from a meeting in Albuquerque, New Mexico. There was a long discussion of the Jock case here a year ago. There will be more meetings. One is scheduled with the State Department on the subject of human rights. There will be meetings with the NGOs of the U.N."

"Only two years ago, people were laughing at the land claims. But now it is a serious matter. The Akwasasne Mohawks and the Six Nations are one of the two nations which still receive annuity goods. We receive annuity goods as proof that the U.S. continues to honor its treaties with us. These treaties are still in force."

"You should speak to your men. An international

boundary line which splits your house complicates living. Originally, under the Jay Treaty, it was guaranteed that this border would not interfere with our people. Your men should be aware that it is very difficult. Relatives who live a hundred yards apart are separated by an invisible line. In Papago country (on the "border" with Mexico - ed.) it took days to move a chief's son's body 20 feet. This is a violation of human rights!"

"Nobody knows how it came to be this way. This is our land, this is our history. We have to deal with people everyday who are ignorant - who do not know our history or their own."

"You people don't seem to fully understand the situation here. You know yourselves that the most dangerous part of your job is when you are called upon to enter a man's home. You know that when you're inside a man's home, he will defend it. And when you come here, into our territory, you are in another person's home."

Joahquisoh gestured to the Akwasasne chiefs who were seated at benches across the room from him. "These men are the caretakers of the Nation. They are in full authority in matters like this. These chiefs must react. The chiefs are reacting according to the law - our law."

Then, returning his gaze to the officers, he continued, "Law is not necessarily justice. Dissecting this country into three parts is making life very difficult for the people here. The judicious behavior of your troopers is highly advisable at this time."

Although he had spoken for a long time, his voice and manners were never once menacing or threatening. He spoke in a matter-of-fact tone, and his words were intended to impart logic rather than emotion. At that moment, it was hard to tell if the police understood, really understood, what had been said.

Lt. Hook rose to speak, "We do not police the reserves like we did five years ago. If the courts decide this is your territory, I will never violate it. Our scale team happened to be passing through here. We have had no trouble here. This is a single incident where our team was passing through."

"Normally, we do not come on the reservation except to pass through. But we don't normally take an action any more. The relation that exists now is far better than it was five years ago. They pay me to enforce the laws, and that's what I do. Once a ticket is written, I cannot withdraw it. It is the business of the courts."

He still hadn't understood. On some level, he seemed almost to believe that the meeting he had come to must have been some kind of elaborate charade, that



what the people here were really trying to do, when you boil it down, was to have a traffic ticket "fixed." But he wasn't absolutely certain that this was the problem. It was evident in his manner of speaking that he wasn't convinced that this was the case. But he tried it on for size a second time, and it evoked a response from the young man who had spoken at the beginning.

Sakokwenonkwus spoke for the council. And he didn't speak about a traffic ticket - he spoke about a principle.

"We (gesturing to the chiefs) are supposed to be the watchdog, to see to the peoples' safety and welfare. That is what the people placed us here to do. It is our duty to uphold our law. If we go before a judge in your courts, that makes a mockery of our government, of our laws."

Lt. Hook had an answer. The man who got the ticket should go to the judge.

The council discussed that for several minutes. Then Sakokwenonkwus rose to speak again. This time his manner was more intense, his delivery more direct.

"How many times do we break our ways for the convenience of New York State? Whenever there has to be a compromise - all the time it is our people who must do it. Never your side. If he (pointing to Mr. Lazore,) goes over there, then, again, we are compromised. What

are we going to tell that man? Go ahead and break our laws? Then what happens? It is a jurisdiction from another people, pushing us down!"

Hook was on his feet, "How does this sound? I will contact the court and Albany, and I will ask for a postponement and I will ask for a decision from Albany. Meanwhile this will be adjourned until there is an answer."

"It would please us if this man does not go up there (to the court.) And if you want to write, that is good, too. But that does not mean that it will end there. (Meaning that the chiefs had not agreed to accept Albany's decision.) There will be (and he paused here for a few seconds)... negotiable material."

Lt. Hook smiled. Sakokwenonkwus continued.

"But this is not the only case. Whenever our people are picked up - before anything happens to these Indian people - we want the police to come to the leaders here. The leaders will call the others and have a meeting like this, to find out what happened and what we are going to do. Whenever any Indian person is held, or arrested. That is the way it was fixed up a long time ago."

"We are talking about the good feeling - to keep that good feeling between our peoples. That is what we want to see."

Lt. Hook agreed. Anytime one of his officers was

about to arrest an Indian, the state police would immediately notify a representative of the Mohawk Chief's council, who would then call a meeting to discuss the arrest. That would extend to an Indian person arrested off the reservation too. That is the way it was stated in the treaty long ago. Lt. Hook sat down, and lit a cigar.

Joahquisoh rose again, and addressed the Lieutenant in a somber voice.

"There is one more thing, before you go," he said with his eyes fixed on the other man's. "I want to know," he said slowly, "if you've got an extra cigar!"

Laughter. It was the first time the tension had broken in the two-hour meeting. The Lieutenant laughed too. He got up, and told a short story about that cigar. Everyone relaxed, and the two officers, shaking hands with some people, left in an amiable mood.

Nothing had been settled. The officers, as they drove away in their cars knew that, and the people who stayed to talk about it in the Longhouse knew it. To casual observers it may have looked like a meeting about a traffic ticket. But it wasn't. It was a meeting concerning principles. On this very territory, in the past, men had died defending those principles. It could happen again. The Mohawks knew that. The question that settled about the room was whether the police realized that truth. Only time would tell.

## SHORT NOTES

## SHORT NOTES



— Seven Eagles photo  
Leonard Peltier and Canadian guards... "these are not crimes — these are political acts in which our people stand for their rights of self-determination, self-dignity, and self-respect against the cruel and oppressive might of another nation."

### PELTIER NOT GUILTY OF MILWAUKEE CHARGES

From: *THE BUGLE*

In November, 1972, thousands of Native people went to Washington, D.C. for the Trail of Broken Treaties demonstration. They went there to call attention to the problems of Indian Americans and to demand negotiations with the government on violations of Indian treaty rights. Promised food and lodging was not to be found, so demonstrators eventually found themselves occupying the BIA offices. They stayed for a week. In order to regain control of the building, the government agreed to an amnesty for demonstrators and the Nixon White House pledged to consider the 20 Point Proposal from the demonstrators.

Neither promise was fulfilled.

The White House turned down flatly or offered nothing concrete on the 20 points. The amnesty proved to be temporary. The Trail of Broken Treaties demonstration was the quickening point for an FBI-led campaign to disrupt and destroy the Indian movement, a campaign of vengeance and reprisals which continues today.

One repeated victim of this attack is Leonard Peltier, an American Indian Movement activist and fighter for Indian sovereignty. Already serving two consecutive life terms in federal prison, Peltier is returning to Milwaukee.

Peltier returned to Milwaukee on January 18 to stand trial in Circuit Court for a five year old charge of attempted murder of two off-duty undercover Milwaukee policemen. The legal persecution of Leonard Peltier is a part of the FBI reaction to the Trail of Broken Treaties.

Leonard Peltier was just one of hundreds who were arrested, harassed, beaten or killed by local and federal authorities in reprisal for the Washington demonstration. Peltier lived in Milwaukee at that time, so it fell upon the Milwaukee Police to carry out the FBI-coordinated program. He was arrested and charged with attempted murder in connection with a 1972 incident at a Milwaukee restaurant where two drunken off-duty policemen allegedly got into a fight with Peltier and two companions.

The FBI campaign against Native people, operating under code names like Cointellpro, Garden Plot, and Cable Splicer, was most intense on the Pine Ridge reservation in South Dakota. The reservations in that state are strongholds of the Indian struggle for treaty rights and sovereignty, so it was here that the FBI came down the hardest. On June 26, 1975, government officials signed away one eighth of the Pine Ridge land. (The following week, it was announced that the signed-away land contained one of the world's largest deposits of uranium -- an interesting coincidence.) Rather than consulting with the Oglala Sioux people, they sent in an armed force of over 100 men to prevent opposition to the land theft. Federal gunfire killed an Oglala man, Joe Stuntz, and homes and villages were under fire all day. At day's end, two FBI agents were found shot to death.

The government said that these agents were just serving warrants and were ambushed. They chose not to tell the press of the earlier land theft, the shooting of Joe Stuntz, or the other 100 armed agents. The FBI then conducted an intense, violent search for the alleged killers, but no one was ever found or accused. The FBI needed someone to blame. Four AIM activists were charged with "aiding and abetting" in the deaths, including Leonard Peltier, who was out on bail from the Milwaukee charges. Arrested in Canada, he was held in solitary confinement in shackles for 10 months, until extradited in violation of U.S. treaties with both Canada and the Oglala Nation. His three co-defendants had meanwhile won an amazing victory in federal court, being found not guilty of all charges. Jurors agreed that the federal government had indeed attacked the reservation that day and the deaths of the agents were acts of self-defense.

Desperate for a conviction, the government had the trial moved to Fargo, North Dakota. With a judge who cooperated fully with the federal prosecution, Peltier was convicted and given two life terms. The prosecutor himself admitted that the evidence was "totally unbelievable." The only witness to "positively" identify Peltier as even being in the area was an FBI Special Agent who said he recognized Peltier a half-mile away through his rifle telescope. The jury apparently did not think to wonder why a peaceful FBI agent serving warrants just happened to be looking at Leonard through a gunsight.

The Fargo conviction is being appealed.

On January 27, a jury in Minneapolis found Peltier not guilty of the charges of attempted murder.

Controversy continues to surround the government's treatment of Peltier in the murder conviction of the two FBI agents. A three-judge federal court heard arguments in the appeal of Peltier's conviction in December. But in January, word leaked out that Judge William Webster, one of the members of the appeals court, had been offered the job as FBI chief, an official announcement to that effect was made shortly thereafter.

Since FBI misconduct is a key issue in Peltier's case, offering the job to Webster could be construed as a flagrant attempt to bribe a judge. A rehearing of the appeal before a new panel has now been scheduled for March.





# COLONIALISM - CANADIAN STYLE

When one thinks of Canada several impressions come to mind. Many think of huge expanses of land, and hunter's and fisherman's paradise. On another level Canada seems quite solid and conservative. Except for the threat of Quebec's separation, one hasn't heard of a Watergate scandal. There aren't blaring headlines about the corruption of Canadian politics or politicians. Few people, outside Canada, know that there is an inquiry into the conduct of the Royal Canadian Mounted Police (RCMP), Canada's version of a mixture of the FBI and a nationalized state police. Outside of Canada, virtually nothing is known about Canada's relationship to the millions of Native People who live there. Some American papers will carry pictures of Native People putting a headdress on Prince Charles, but little else is seen or heard.

During the past year a very interesting state of affairs has been evolving between the Native Peoples, Canada, and the Department of Indian Affairs and Northern Development (DIAND). DIAND is the Canadian version of the BIA. Its job, as prescribed by the Indian Act, is to be the guardian of the more than one million "Status" Native People. The term "status" is one of five used to divide Native People into manageable, or exploitable, categories. The other four are "Metis" - Half-breeds; "non-status" - people recognized as Indian but without treaty or land rights; "enfranchised" - those persons who have given up their "status" by selling it or having it terminated, and finally "Eskimo" - the term used by both the U.S. and Canada to imply that the people of the Far North have no real relationship to the other Indigenous Peoples.

Historically, Canada has been a classic model of colonialism, as perfected by the British. Every facet of a Native Person's life and land is absolutely controlled by DIAND. Manipulation of DIAND's millions of dollars in Indian budget remain totally removed from the Native People.

The treaty making era removed millions of acres from Native control. It began first under the direct supervision of the English Crown and then was relegated

to a semi-independent Canada through the British North American Act. At this same time the control of Native destiny was transferred from London to Ottawa. The Canadian process of treaty making was carried on for the same purposes and goals as that of the United States - control of lands and resources to serve the expansion of the Canadian face of Western Civilization.

For the most part Canada made treaties mostly south of the 56th parallel. North of 56 degrees latitude, the Hudson Bay Company had been given a colonial charter to the lands and lives of the Native people. The Hudson Bay Company began when Henry Hudson was seeking to expand England's competition with France in the fur trade, and to find the fabled Northwest Passage to the Orient. We were briefly taught about the latter in the history books.

With the defeat of France, England gained a complete monopoly in the fur trade. In the 1800s, the Hudson Bay Company transferred what it considered to be its vast land holdings to the Crown. The fly in this ointment is that the Hudson Bay Company never acquired title (except by royal charter) to these lands, and subsequently no treaties were ever made which mention title. This historical oversight came to light during the 1977 attempt to ram a pipeline through the lands of the Dene Nation in the Northwest Territories.

Early in the 20th Century, Canada decided to embark on a full-scale plan to assimilate the Native Peoples. In 1924, this plan took life in the revised Indian Act of 1924. The new Act gave DIAND massive powers to reorganize and civilize the Native Peoples. One part of this new act was manifest with the Canadian government abolishing traditional Native governments, and instituting "elective systems." In several native territories the Minister of Indian Affairs used the RCMP to militarily place these "elective systems" resulting in the deaths of imprisonment of real Native leaders. Secondly it decreed Canadian citizenship upon Native People. Thirdly, it strengthened DIAND's grip over the education of Native Youth. Many other facets of DIAND's power were increased to bring about the assimilation of Native People.

Since 1924, the character of the Native People's lifestyle has greatly changed. They have been moved from being an independent people into the welfare state, their tribal governments, lands and resources have been completely dominated by DIAND, and the youth have been subjected to the acculturative effects of the boarding schools and forced integration. The Native People appeared to have been subdued and made ready to enter the Canadian mainstream. In 1969, DIAND Minister, Jean Chretien released the federal government's "White Paper Policy on Indian Affairs." The essence of the paper was that Native people were prepared to have their "special status" phased out. The plan was to remove control of Indian Affairs from DIAND, to the provincial level. With this accomplished, the reserves would become provincial municipalities added to the political geography of the province. As the phase-out progresses, according to this plan, Native people would receive more and more of their services from the same "sources as all other Canadians." This was to be the final action of removing the Native Problem from the face of Canada. Canada would simply deny that Native people are a distinct people. Native people would somehow become a part of the "rich cultural mosaic of Canada, just like Polish-Canadians, or Italian-Canadians, and so forth. Cultural genocide wrapped in ribbons and packaged neatly in easy-to-swallow capsules.

The arrogance of this move was abruptly halted when the Native People came out in strong opposition to the White Paper. Throughout Canada, Native people voiced strong opposition to the goals and purposes of the White Paper. This "uprising" resulted in a "shelving" of the policy by the Canadian government. Native organizations were asked to devise their own future in Canada. Since 1969, there has been a movement among Canada's Native peoples to seek some vision of the future of Native people in Canada.

The following profiles are presented to give an understanding about the nature of the Native Struggle as it is occurring in Canada. In the context of an overview, they show that there is trouble abroad for Canada, DIAND and the future they have planned for Native people.

## ONE MAN AGAINST THE SYSTEM

The province of Alberta has the potential of becoming one of Canada's richest provinces. Huge fields of wheat and other grains blanket the great Canadian Plains and under these lie oil and natural gas deposits. In the foothills of the Canadian Rockies lies coal, uranium, timber and fast-moving fresh water. To the North are huge timber stands, numerous minerals and more oil and gas. It is a colonizer's dream, an exploiter's paradise.

Through a series of treaties in the late 1800s Canada gained access to these lands. The numerous Cree bands were left with small reserves scattered throughout Alberta and Saskatchewan. The member nations of the Blackfoot Confederacy retained sizable holdings near the U.S. border but in the North, much of the land has never been treated for.

Since World War II the Native People of Alberta have been pretty aggressive about improving their lot. They organized a central organization known as the Indian Association of Alberta (IAA). Since its beginnings it has been an organization that has labored hard to achieve good things for its constituents. When the White Paper was released in 1969, the IAA came out with one of the strongest protests against the policy. At that time the IAA's president was a young Cree man named Harold Cardinal.

Mr. Cardinal was the proverbial "Boy-wonder." In 1969 he was the youngest head of an Indian organization in Canada. He was the author of a very provocative book about Canada's treatment of Native People. For the next seven years Mr. Cardinal remained as IAA's president. Then in February of 1977, he was offered the job of regional director general of DIAND. His acceptance of this position set off fireworks throughout Canada. Many felt that he had sold out the Native struggle and would be co-opted into becoming another bureaucrat. Others felt that it was a progressive step reflective of the liberal administration of DIAND under Warren Allmand.

The first two months of his administration were quiet, while it appeared that Cardinal was getting a feel for the tremendous organization he now headed. Then in April, Mr. Cardinal made his first waves. He hired three members of the American Indian Movement (AIM) as

consultants to the Department. In this same month he moved six senior DIAND bureaucrats from their 27th floor offices to offices in the basement.

In a further move to impart his style of management he appointed an advisory board of elders to act as overseers of DIAND's projects, operations, and their impact on Native People. Mr. Cardinal also ordered an audit of the financial records of the Stoney Band. In retaliation to the order for an audit, Chief John Snow stated that all Stoney proposals would be sent directly to Ottawa, and would by-pass the director general.

Meanwhile in Saskatchewan, the RCMP were investigating the possibility of DIAND employees receiving financial kickbacks.

In May, the Alberta legislature passed a law known as Bill 29, an amendment to the Alberta Land Titles Act. The law retroactively quashes Native People's ability to lay claim to Crown lands through court action. Such claims could halt the development that Alberta plans for these lands.

In July, Prince Charles visited Alberta. He went through the usual motions expected of royal visits. He attended pow-wows, received a headdress, and listened patiently to Native People's complaints about how Canada was treating them, then went on his way to visit the other colonies.

Also during this month, Mr. Cardinal was charged with misappropriating DIAND funds for the use of his family. These charges never progressed beyond the rhetoric of a non-Native politician. Also during this time Joe Dion was elected president of the IAA.

In August the Minister of Indian Affairs requested an RCMP investigation into the administration of the Stoney Band. It appears that Mr. Cardinal may have stirred up something. A DIAND auditor had filed a complaint with the Institute of Chartered Accountants because there were so many questions that couldn't be answered by the Stoney Band. This complaint prompted the Minister to call for the investigation.

In September, Prime Minister Trudeau suddenly replaced Warren Allmand as DIAND's minister. The new appointee was Hugh Faulkner. The replacement coincidentally occurred after Mr. Allmand came out in

strong support of Native treaty rights in Saskatchewan.

At the same time Mr. Cardinal made more waves by hiring an ex-RCMP officer to act as an Indian Ombudsman in his office.

In October, the Alberta chiefs asked Mr. Cardinal to resign as president of the Indian Oil Sands Corporation. They stated that they felt that his presidency constituted a conflict of interest with his position as director general. Mr. Cardinal agreed to their position and stated that he was willing to resign that position. It was also at this time that Mr. Cardinal's reorganization plans for DIAND in Alberta, were about to go into full swing.

In November, twenty-seven chiefs of the IAA and their president Joe Dion, journeyed to Ottawa to ask Mr. Faulkner to remove Harold Cardinal. Ottawa's reaction was swift and Faulkner ordered Cardinal's "immediate termination."

In December, Mr. Cardinal made his biggest splash of all. In a press conference Mr. Cardinal stated that "alleged misuse of trusted monies by the DIAND totaled some \$110 million in the past five years..." To back up his statement, Mr. Cardinal produced evidence in the form of documentation belonging to the DIAND regional office. He called for a full judicial inquiry to look into the matter.

At this time, the RCMP are conducting an investigation into Cardinal's allegations. If their investigation finds sufficient proof, they will recommend that a judicial inquiry be held (the equivalent to a grand jury investigation). But the Watergate syndrome seems to be taking affect. Word has come that key documents are missing from the regional offices of DIAND. It seems that Mr. Cardinal got an inside view of the colonial operation in Alberta, and was removed because he became 'dangerous' to the interests that it serves. The next few months should bring to the surface what appears to be sinister facts about the internal affairs of the Alberta bureaucracy which controls Native Peoples' lives in that region of Western Canada, and with these resolutions may come an accurate picture of the true future of the Native People in that area.



## POLLUTION AND GENOCIDE (Northwest Territories)

Every advertisement extolling the virtues of Canada sells the individual the image of Canada as the cleanest place on Earth. To attract the tourists, the sportsmen, and the naturalists, Canada spends millions of dollars to create that image. The image is beginning to receive a little battering.

In the Northwest Territories there is an extreme concern about arsenic poisoning in the Yellowknife area. On January 3, a government sponsored study concluded that arsenic levels were such that there were 'no immediate health affects.' This finding brought a sharp rebuttal from the National Indian Brotherhood (NIB). The NIB charged that the report had been written "by compromisers looking for a nice, acceptable route" relative to the economy and the environment.

In what appears to be a contradiction to its own position, the report calls for an 80 per cent reduction in arsenic emissions. These emissions are produced by two factories on either side of Yellowknife. One is Gold Mines, Ltd., a subsidiary of Falconbridge Nickel; the other is Consolidated Mining and Smelting Company of Canada, a subsidiary of Cominco, Ltd. Each produces refined gold, and each dumps huge amounts of arsenic into the environment.

The danger of arsenic is a multiple one. Even low exposure to arsenic can cause heart disease. A fact that is beginning to show up more and more in the population around Yellowknife. Because arsenic is airborne from factories to the environment, it is virtually impossible to escape its affects. The arsenic settles on the foliage, in the ground and water, and at close range to the factories, it can be inhaled.

A 1969 National Health and Welfare study found higher rates of mental and nervous disorders, heart

disease, respiratory infections, leukemia, lymphatic tumors, allergies and diabetes among the Yellowknife population than any other city of comparable size. This report was never made public until 1975, when the CBC did a radio broadcast on the report. Dr. Robert B. Sutherland, a private industrial health consultant who took part in the recent study, offhandedly dismissed evidence of high cancer rates among Inuit people, especially women. Sutherland states that the higher rates could be attributed to 'the older days when people sat in igloos, burning whale oil, and smoking fairly heavily.' He said the higher rates across the North are solely reflective of above normal cancer rates among Native People.

Arsenic is classified as a cocarcinogen. (which means that arsenic doesn't cause cancer by itself, but acts in conjunction with a cancer-producing agent). Coupled together with the hundreds of new products introduced to the Native People, arsenic has many partners. Massive change in diet, poor nutrition, poor living conditions each must play a role in conjunction with the arsenic in the environment. These are only some of the areas yet to be studied.

The Native People are not mobile like their non-Native counterparts. They have a deep attachment to the lands where they live, where their hunting, fishing, and trapping is. The White workers come from the South, stay for awhile and then move on. When the White workers become ill, they are given leaves of absence, or returned to the South. When the Native People get ill they have no place to go to. To leave would be to abandon one's history, culture, whole Way of Life. All around them their economy and Way of Life is being attacked by arsenic. At present there is a campaign on to warn the Native People about the

dangers of arsenic pollution. They are being told to wash the berries and other wild foods, they are being told not to melt snow for fresh water. Lloyd Tataryn, a NIB consultant, states that these are only short term measures, "...it's incredible to expect that children will not eat wild berries or snow...tell a child that they are contaminated.' He also points out that the recent study indicates higher arsenic concentrations in children than adults.

What about animals? The Native People depend very heavily on the animals and fish for their subsistence. So it seems that the Native People have a very long and hard fight on their hands. A battle that really boils down to White Canada's need for gold, and Native People's need to remain Natural World People.



## AKWESASNE... ALONG THE ST. LAWRENCE RIVER...

Akwesasne, in Mohawk means - where the partridge drum. Today, one would be hard-pressed to find a partridge. The People say that the partridge has been killed off by the industrial plants upstream. In particular they mean Reynolds Metals Company's aluminum plant at Massena, New York. For some time the People have been noticing changes in their environment. The trees began to die from the top down, the fish aren't good to eat, the cows are sickly and loosing their teeth, and many other things.

For a long time the scientific minds laughed at these 'superstitious folks.' Finally in 1969, Ontario's Minister of Environment ordered a study to be conducted at Cornwall Island. This study brought forth the first 'official' concern regarding emissions from the Reynolds plant. It was the first inkling of the flouride problem.

Who ever heard of flouride as a problem? Aren't we told how good it is for our teeth and sex appeal? Since 1969, the St. Regis Band Council has been trying to get to the bottom of this question, but they have been confronted with many obstacles. First, Reynolds is a large multinational corporation whose Massena plant sits on the U.S. side of the St. Lawrence. It's emissions are airborne by easterly winds onto Cornwall Island, which Canada claims as theirs, that makes the issue an international matter.

Secondly, as an international matter, Canada and the U.S. insist upon using the International Joint Commission (IJC). This Commission was first established in 1903 as a vehicle for bi-lateral negotiations of issues between the two countries. The Mohawk People are allowed no voice in this Commission, and feel they have been let down by Canada who claims to speak for them in the Commission.

Thirdly, Canada is not scientifically prepared to investigate flouride pollution. The only kinds of study they are able to conduct involve measurements of air quality and taking of urine samples. They simply haven't developed the technology to investigate flouride poisoning.

After nearly seven years of frustrations, and arguing with two federal governments, the St. Regis Band Council decided to take matters into their own hands. The Council decided to move ahead with an extensive epidemiology study, and create a local lab and clinic for the study and treatment of Flouride, Mirex, PCB and mercury poisoning. The lab/clinic would be designed to meet all of the pollution problems that the Mohawk people can expect to face.

"This lab is not just for us, it will be available to other Indians, and non-Indians," stated Lawrence Francis, the elected chief of the St. Regis Band Council.

"We need this lab because the capability exists to do it now, and our people need the help now," Francis stated. He then went on to explain how the Canadian government told him that it would be at least four years before they could establish such a lab. Henry Lickers of the Band Council's Environment Division states, "...we are ready to start now, except for the lack of funds. We have Doctors Carnow and Conibear, two eminent physicians in the field of epidemiology prepared to help us. We have the backing of the University of Illinois Medical Center, who they work for, but we need funding."



The funding he speaks of is \$150,000 needed to do an intensive eight-month survey of the flouride problem within the total St. Regis/Cornwall Island community. The Band Council authorized a proposal for the moneys, which was sent to DIAND for funding. On January 20, the Band Council was informed that DIAND would only authorize \$10,000 of their request. This authorization was to be used to finish vegetation and cattle studies being conducted by Doctors Clany Gordon and Lennart Krook. The Band Council was told by Mr. John McLaren, assistant to the Parliamentary Secretary of the Minister of DIAND, that the Band could receive the rest of the funds if they terminate their American consultants - Doctors Gordon, Krook, Carnow and Conibear, and also if they would drop any ideas about carrying out litigation against Reynolds.

"At this time we are looking into the possibility of lawsuits against the ministers of Environment Canada, National Health and Welfare, DIAND and External Affairs for their negligence when it comes to our people and lands," stated Mr. Francis. The St. Regis Band Council has begun to look for more outside help. Help to fund the lab and studies, help in carrying out their lawsuits against the Canadian federal government and Reynolds, and are even considering asking for international support for their fight. The issue is far from over, and with energetic men such as Lawrence Francis and Henry Lickers, it appears the issue will get hotter.

Readers wishing to further information about any of these issues can write:

Alberta Native Communications Society  
9311 60 Avenue  
Edmonton, Alberta

The National Indian Brotherhood  
102 Bank Street  
Ottawa, Ontario

The St. Regis Band Council  
Box 579  
Cornwall, Ontario

(We wish to thank the Native People newspaper, Kainai News, and the many individuals who helped us with these articles.)



Open letter to Elmer

Dearest El,

Today I received my last letter to you marked: Addressee Deceased.

El — you are gone — your words to me will no longer fill my life with a smile. I will find no more letters of encouragement from you — your words, your beautiful words — your descriptive words — telling me about the beautiful woods — the mountains — Hilltop — the rainy days — the snow so brisk, your description so vivid — while reading your letters to me I was transferred from my small California foothill town to Akwesasne.

Your love for the land of Akwesasne was in every word. Akwesasne was your dream. The words of someday Akwesasne being a true Native community — this you spoke of and this was your dream, as with many others who also love Akwesasne.

I will truly miss you Elmer!

My heart is saddened — saddened because I will never again write to you — I never got to stand next to you — never to share a day, a moment.

I've never even seen you — all I've got now are all the letters — One and one half years of corresponding with a beautiful Mohawk man.

The dream you and I had was to one day meet — not in this world El — but I shall see you in another spirit.

YoKaHey!

Love,

Dianna Nava

Natick — My first thought — when rationale returned — was that it was so cruel. So cruel that this man should die the day before his first real Christmas, on the advent of what was going to be his new life.

A life, after 37 years in prison, with people who loved him.

At least, he died in their arms.

Elmer was 56 years old, a Mohawk Indian, tall, soft-spoken. He died yesterday. On my back porch. In my wife's arms, as her sister pumped frantically at his heart and I tried to breathe life into his mouth.

By the time help arrived, we knew. Elmer was dead. On this beautiful day before Christmas. We knew. Damn it, we knew.

At Attica, Elmer had played sports. Before his troubles, he had had a tryout with the New York football Giants. And last week, he told me that he had been — in fact still was — a pretty good fast-pitch softball pitcher.

He had been on parole, and through my sister-in-law's efforts (I'll explain how they met later) Elmer was able to come here from his reservation in upstate New York.

Before he went back (he could have stayed until Wednesday), he had hoped he could pitch me a few. This was a few days ago, the first time we'd met. But surely the elements would keep us from doing so.

Then yesterday arrived, like few New England December 24ths. Yes, it was like a Spring day. "Good day to pitch a few," Elmer said, a gleam in his eye.

After lunch, we decided, I would play catcher to his pitches which, he promised, would rise, drop and curve like crazy.

We went out to the driveway, had a conference on the imaginary mound, then I walked some 40 feet away to assume my catcher's position.

Elmer threw for about 15 minutes. Oh yes, he must have been something in his day! His rise pitch would come in belt high, then take off for the heavens at



## Elmer Everhart

*It was late after noon when the call came in. From Boston, somebody said. It was Ellen. Her voice was distraught and she was fighting to bring out her words. She said that something terrible had happened, that she had some very bad news. Then there was a pause — ten heartbeats — only one thing could have happened. Elmer was gone.*

*Elmer Everhart was widely known to people who correspond and visit AKWESASNE NOTES. He was a quiet, gentle man who could be deeply personal. Almost everybody who knew him had an affection for him, even those who knew him only briefly.*

*Several years ago, when he was still in Auburn, he wrote to one of the chiefs of the Mohawk Longhouse. He explained who he was, that his family had come from Akwesasne, and that he had not lived there for many years. He said that most of the people there would probably not remember him, but that he'd like to come back. "I'd like one more shot at Akwesasne," he wrote.*

*He did come back, and he began a new life here, first at the Nation House*

*at Hogansburg, and then, for the past year, at the editorial and shipping offices in the mountain complex which has been NOTES' other home for several seasons now. He became a part of us. He is deeply missed.*

*Elmer was a poet. He never told us he was a poet, never submitted any of his poems to the newspaper for publication. That was characteristic of Elmer — he was a humble and quiet man. His friends in Massachusetts published a small booklet of his poems. He lived long enough to see the booklet, and we're sure that he was pleased. Elmer is gone, but something of him, a tribute to the man that dwarfs our own words, remains in his poetry.*

*On December 27, we held funeral services for Elmer, here, and at the Longhouse at Akwesasne. He is buried in the Longhouse cemetery at Cornwall Island, at last he is among the relatives and people who he knew so little while he lived, and who he felt so strongly drawn to. We will not tell Elmer's story. We chose a few of his poems that we hope can do that.*

Surely he was salvaging something from a broken life.

We had stopped, Elmer went and sat on the porch steps, between my sister-in-law Ellen and my wife. They watched my son and me play catch.

Then I looked up, and Elmer's head was in my wife's lap. No one had screamed. No one had panicked. But it was obvious. Elmer had suffered a heart attack.

I hope  
to see mountains  
and sun and the blue sky  
green trees, long grass—Nature's beauty—  
always.



We worked at instilling life, Ellen, Mary Anne and I did. It wasn't to be. These past few days, we had talked about how this was going to be the start of a new, good life for Elmer. Ellen and her friend Jan had befriended Elmer where his people live, in Hogansburg, New York.

Ellen and Jan had gone up there in August to help an Indian Nation newspaper — Akwesasne Notes — through some bad financial times. They had met Elmer, who was in charge of mailing at the paper.

Ellen has a way about her, at once angelic and determined, and when she believes in something, she is a lion.

She's determined to help the Indians. Right off, Elmer knew this. The first night they met, they stayed up until four in the morning, with Elmer doing most of the talking. Later, he'd say how surprised he was to have opened up like this to a stranger.

After that night, they were strangers no more. Elmer came to Boston for the first time recently, and stayed with Ellen and her husband. They would share the holidays.

The holiday came today. Death came yesterday. We did not get to share a lot with Elmer. Death's cruel and curious ways changed all that.

But not before we had shared just enough to be terribly saddened by his death, and yet greatly exhilarated having touched him ever so briefly.

By Lenny Megliola

(From THE SOUTH MIDDLESEX NEWS, Sun., Dec. 25, 1977.)



## Life

Some things  
I don't understand...  
some things  
I guess weren't meant  
to be understood...  
example?  
well...time - and love,  
reasons why...  
accept -  
sometimes  
that's a hard game to play -  
learning to accept  
today, tomorrow  
and yes...even yesterday  
"Forget!"  
but yes  
it is sometimes difficult  
to accept  
that some things  
that I don't understand  
weren't meant  
to be understood.

## What Holds The Key?

What is this funny feeling  
deep, deep down inside me,  
away where it should not be?  
I feel like singing songs - -  
words I have not heard before  
but that are in me  
somewhere, somewhere lost.  
All day I have wanted to shout and dance  
(funny though, I've never danced before).  
And now I'm wondering  
should I pick myself up  
let strange words flow from my mouth  
and from my heart a steady beat;  
a rhythm for the foreign songs - -  
what do they mean?!  
words...  
reaching, reaching  
but they can't be found.  
It's just a feeling  
locked inside of me  
deep, deep down...  
  
what holds the key?

## Life II

To think  
to say  
to do:  
all things  
yet no things...

To want  
to be  
to have been  
but:  
nothing...

to be born  
to lose  
to win  
to die -  
we're all the same in the end!

## Lament

Have you ever walked through the woods  
and seen the tall, beautiful pines -  
so powerful and strong they could stand up to any  
weather, any season  
Or have you ever rounded the corner on a trail  
and discovered a little stream coming from nowhere  
and going...well, who knows where!  
the water so clean and clear that you are drawn to its  
edge  
to drink from it, and as you do this you  
startle a little trout who quickly disappears  
into the swaying mossey grasses growing in the water?  
Have you ever seen the tiny, delicate mouse tracks in  
the snow  
and wondered "Don't his feet ever get cold?"  
or the little fungi growing on old, dead trees -  
their patterns so strange and beautiful...  
or the mushrooms in the fall -  
brilliant colors standing out from the ground,  
so small and yet so big!  
Have you seen these things and thought  
"How lucky I am!"?

## Yes?

Well have you ever gotten up before the sun  
and watched it rise so slowly  
over the sparkling, dew-covered trees -  
the colors that come and go before its light spreads,  
swallows the dawn?  
Have you heard the screech owl in the night  
calling, calling?  
You know they say the screech owl has an eery song  
but when I hear him  
I silently thank him for his company...  
Have you ever noticed the hazy greenish light  
that blankets the earth before a thunderstorm  
or a lone bird in the clear blue sky  
with the sun's rays reflecting, enlarging  
until the bird takes over your thoughts,  
wipes away all worry and evil -  
and for that one moment you are truly happy?

Have you ever canoed up a river  
and seen the milkweed pods rattling in the wind  
their fluffy white seeds reluctantly breaking away  
to begin their long journeys  
lifting with a gentle breeze...  
or have you seen the schools  
of little silver fish  
racing by - fleeing from something  
lurking in the waters behind...  
or have you ever startled a little group of ducks  
who quack indignantly and flap their wings  
quicker and quicker  
until the water yields its heavy grasp  
and lets them fly away?  
Have you seen these things  
and felt your heart beat a little faster  
with the joy of knowing you've seen true beauty?

I have, and I wish I could say how much  
they all mean to me...  
and why it hurts so much to see each one being wiped  
out  
with the knowledge that I can't stop their destruction.

Poetry by Elmer Everhart...

## Life III

Another "Early Morning" poem!

"Don't lie"  
window...  
clear glass  
of the window,  
a shadow of the sun  
reflecting  
in the glass,  
glare  
and then  
I see myself  
looking into what?  
A crystal ball?  
visions.  
what will come of me  
in the days that follow?

A dream:  
a woman  
calling to me,  
crying words  
I did not know -  
to know them;  
her message  
was clear enough  
to understand...  
so long ago.  
How old was I?  
in sleep,  
too young to remember  
and yet  
it has stayed with me  
all these years...  
flashback  
into yesterday -  
she called to me...

clear glass  
of the window  
shadow  
of the sun...

"I'm not lying."

Time flies  
while the unsatisfied  
find life meaning so little...  
And why?  
Their occupations: a lie  
and contradiction  
to the dreams  
they harbor in their hearts,  
  
wasted...

asleep and hoping to awaken...tomorrow -  
always tomorrow.

Their deeds bring them misery  
for they are deeded of hollowness  
tasks like going to church on Sunday...

and coming home at night  
they are bored and restless  
and as they finally find sleep  
it is a restless sleep  
where their spirits  
seek an escape, a change;  
where suppressed dreams and ideals  
come back to haunt them  
tempting, calling...

And upon awakening in the morning  
they curse and wonder  
"Why is reality so damn hard to face,  
so stubborn to bargain with?"  
feeling defeated in knowing  
there is no compromise,  
there is no escape

And as time flies  
they remain caught  
and helpless in the trap of life  
bound by ties that can't be broken...

I, too, had dreams, you know  
but another year's just passed  
and like the last  
I haven't got anything to show.



# THE GREAT BOWHEAD CONTROVERSY



## "We are the People of the Whale"

It all began last June when the International Whaling Commission, meeting in Australia, passed unanimously a resolution setting a one-year zero take limit on the Bowhead whales. The action set off a storm of controversy because the only country which presently allows hunting of bowheads is the United States. The United States claims jurisdiction, in international affairs, over the lands and waters which for thousands of years have been home to the Inupiat (Eskimo) people. These Native people have been able to survive in the Arctic regions of Alaska because of the existence of the Bowhead. As a result of Inupiat efforts, a compromise of sorts has been reached — the International Whaling Commission has agreed to the taking of 12 Bowheads this year. But according to Inupiat spokesmen, the issue may not be settled.

The International Whaling Commission (IWC) is composed of representatives of the countries of the world which hunt whales commercially. It was formed in response to the fact that whales are migratory mammals, and that whales are presently threatened with extinction because whale populations have been nearly exhausted by commercial whaling fleets. The whale said to be closest to extinction is the great Bowhead whale, a giant animal which sometimes reaches sixty feet in length. Bowhead hunting has been illegal in the United States waters since 1946. The U.S. Marine Mammal Protection Act of 1972 and the U.S. Endangered Species Act of 1973 stopped all but subsistence hunting of this species.

The IWC met last June and unanimously approved an international agreement to ban killing of Bowhead whales for a period of one year because of reports that the Bowheads were nearing extinction. Reports reached the Commission that there remained a worldwide population of only 1000 to 1500 Bowhead whales. The United States abstained in the voting because the only allowed Bowhead hunting in the world takes place in the waters of Alaska under special provisions of U.S. law which allow whaling of the species for subsistence purposes by Native peoples of the Arctic. The Bowhead is the only great whale that comes close enough to shore to be taken by harpoon from ice floes or shoreline craft.

The Inupiat people have been hunting Bowhead whales for at least 3,000 years. For all that time, the Bowhead has been essential to their way of life. Commercial whaling initially depleted the world's population, and few dispute the fact that historically it was commercial whaling which created the present crisis.

It is ironic, in many respects, that the Inupiat are accused of complicity in the depletion of their environment. When oil was discovered in Prudhoe Bay, the Inupiat people mounted a serious defense of their homeland, and have consistently attempted to guard against irresponsible exploitation of their country.

The Native people had established an organization called the Alaska Eskimo Whaling Commission, comprised of leaders of the communities which are dependent on the Bowhead. When word of the ban reached the Eskimo communities, the AEWC filed suit against the U.S. State Department to force them to object to the ban. That lawsuit went all the way to the Supreme Court where, this fall, the court found in favor of the State Department.

But the issue didn't end there. Public pressure began to mount almost immediately following the IWC announcement. Some environmentalist groups initially supported the ban, and then reversed their position. The State Department sided with the IWC, the Interior Department took the Inupiat position. The issues are several and, as is becoming common in these times, complex.

Many of the Inupiat people continue to be subsistence hunters. They argue, and quite convincingly, that a ban on Bowhead hunting would bring an end to their culture. The Bowhead whale represents a major element in the Inupiat spiritual life, and is a cornerstone of the economy.

Inupiat spokespeople contend that Bowhead hunting is essential to the survival of the people of the Arctic. They point out that the Inupiat are the only people who are able to survive in the Arctic region using only the resources available in the region. They say that in their climate, there is no nutritional substitute for the whale. The Bowhead and only the Bowhead, sustains human life in the Arctic. Mayor Eben Hopson, of the North Slope Borough, former special assistant on fisheries to Alaska governor William Egan, has charged that the ban on Bowhead hunting was a form of genocide. "We are the people of the whale," he said.

The Native people of the Arctic look to *muktuk* whale meat, as an important, indeed essential, source of vitamins B, D, and A and as a source of iron. A single Bowhead whale weighs 40 to 50 tons and provides enough food and raw materials to sustain a small village from one hunting season to the next. Some estimate up to one-quarter of the nutrition of some villages is derived from the Bowhead.

They also argue that their communities have little cash economy and they cannot afford costly imports of substitutes such as pork and beef. The economic consideration in the far north is a serious matter. Milk sells for \$6 a gallon, eggs cost \$2.35 a dozen.

The controversy extends even to questions of whether the Bowheads are actually as close to extinction as government estimates would indicate. Inupiat people say that the Bowhead population has increased in recent years. Native whale hunters have estimated the Bowhead

population at around 10,000, nearly ten times the U.S. Marine Fisheries Service estimate. They have charged that official estimates are based on whale counts taken by people who are totally unfamiliar with the North, and suggest that the estimates are totally unreliable.

Nationally, the question of subsistence hunting of the Bowhead whale began to take form when the U.S. Commerce Department called a hearing to decide whether the United States should object to the International Whaling Commission's ban. Court action arose out of the disagreements which followed.

Conservation groups appeared confused at first. Then many, such as the Sierra Club, reversed initial positions and came out in support of the Native people. By the time of the December IWC meeting at Tokyo, there was a general consensus that the environmentalist groups could live with a limit of 10 to 20 Bowheads taken by Inupiat next year.

President Carter's initial position supported the ban, causing the Alaska Eskimo Whaling Commission to issue a statement, saying, "We naively assumed that when President Carter was faced with the choice between human rights and the rights of animal-loving, man-hating conservation groups, he would opt for an action which maximized protection for a people within the borders of the U.S. But we were wrong."

The Inupiat have plenty of critics among the non-Native population. Some people argued that the Bowhead hunting isn't really necessary now that the Native people have huge settlement moneys following the discovery of oil on their lands. Others said that modern Native hunters hit three whales for every one they beach, and that many of these escape mortally wounded.

Another criticism was that the Native people are no longer real Native hunters. They said that today whales are hunted by men carrying shoulder-held harpoon guns fired from boats or ice floes. They paint a picture of senseless slaughter of the Bowheads by modern and insensitive Natives.

At the beginning of the century, the Native populations took an estimated 10 Bowheads a year in the entire Arctic. That number was no threat to the species. It has been estimated that Bowhead kills have since increased and that there were an estimated 29 Bowheads taken per year over the past decade.

Critics are also quick to charge that some of the Bowhead are taken for commercial purposes. Whalebone carvings are valuable items, as are other by-products of the whale. Finally, it was charged that an estimated 49 whales were taken last year (1977,) and that number of



whales from a small population has pushed the Bowhead to the head of the endangered whale species list.

On November 1, North Slope Borough Mayor Eben Hopson met with Vice President Walter Mondale at the White House. Mondale indicated that the U.S. would try to convince the International Whaling Commission to lift its Bowhead subsistence whaling moratorium at a special meeting on December 6th in Tokyo. There were some indications that the Japanese wanted to bargain increased sperm whale quotas for a Bowhead subsistence quota. The International Whaling Commission had utilized biological data from the more depleted South Pacific Sperm Whale population, and the result was a quota reduction from 7,000 whales in 1976-77 to only 763 for 1977-78. That figure would wipe out the Japanese and Russian Pacific whaling industry.

Although Bowhead whaling has been outlawed by the U.S. since 1946, American law contains special provisions which allow for subsistence hunting of the animals. At Tokyo, the U.S. found itself in a difficult position. The U.S. has been a leader among whaling nations seeking international agreements which restrict taking of the great Sperm and other whales. But at Tokyo, the U.S. found itself in the position of potential opposition to a complete ban on the taking of possibly the most endangered species because of a population of Native people who depend on that whale for subsistence, indeed survival. The Eskimo people sent their own representatives to appeal their case before the IWC. There were fears that Canada, France, New Zealand, and Australia were likely to oppose the U.S. position on the restoration of the Bowhead subsistence hunt.

The Inupiat requested that the ban on subsistence Bowhead hunting be lifted and that subsistence hunting be subject to domestic regulation. The American position was that the nutritional needs of the Native people required 24 whales, but that 15 whales landed might be tolerable assuming availability of other food sources.

Initial suggestions to lift the ban were rejected by the Commission, and it became apparent that the general body could not reach an agreement. The matter was then referred to a technical committee.

The Soviet Union put forth a suggested limit of 18 whales landed, but that figure was rejected. Finally, the U.S. offered the figure of 18 whales struck, 12 landed. That figure was also rejected until Norway suggested the same figure. The Commission voted 10-3 to allow Eskimo whalers to strike 18 Bowheads and land 12.

Tom Garrett, U.S. Deputy Commissioner to the IWC who was also a Washington, D.C. lobbyist for the Defenders of Wildlife, had written a 7-page letter criticizing the U.S. government's Bowhead conservation program. The letter repeated charges of wasteful whaling practices that he felt were not being addressed by the government.

One of the allegations was that the Eskimo whalers were taking lactating females. The Inupiat whalers were asked how the AEWC would prevent their crews from taking females and calves. Arnold Brower, Barrow Whaling Captains Association President, pointed out that the taking of females with calves was unusual because such females customarily travelled together in the third run which usually occurred when the ice turned rotten. He said that this run occurred far offshore, and was not customarily hunted by Inupiat whalers. Thus it would be easy to prohibit the taking of lactating females. Lactating females do not travel through the leads in which all Bowhead whaling is conducted in the spring when most whales are taken.

The debate over lactating whales has been identified as a turning point in the discussions. What emerged was the understanding by the United States delegation that the true experts on the life cycles of the Bowhead whale are the Inupiat people, and that any successful effort to practice Bowhead conservation would be unproductive without the cooperation and participation of the Alaska Eskimo Whaler's Association. New Alaska Eskimo Whaler's Commission regulations restricting the use of the shoulder gun to whales already secured with a harpoon would eliminate whatever struck and lost problems that might have existed.

Under the gavel of Mr. Thordur Asgeirsson of Iceland, the Technical Committee began a debate that soon made it clear that the IWC nations were generally annoyed by the United States, and that there was a greater hunger for revenge than for justice. The Canadian government planned to oppose the U.S. position, and in any event would have no Inuit (Eskimo) delegates to the IWC. But Sam Raddi and Randy Pokiak from the Canadian Inuvialuits' Committee on Original Peoples' Entitlement (COPE) arrived and were added to the Canadian delegation at the last minute. Denmark did not send any Native Greenlanders to Tokyo. Canada had been pressured to include the Native delegates, and never-the-less steadfastly opposed the Inupiat interests in this conflict.

Canada had planned to introduce and promote a new Bowhead subsistence quota of just 6 whales, and they had also planned to urge that this had been approved by the Canadian Inuit. Raddi and Pokiak's presence discouraged the latter strategy. Both men protested Canada's position on the whale limits shortly after their arrival in Tokyo.

Canada also attempted to introduce a resolution which would have restricted the Inupiat communities from any increase take of Beluga whales, a species which is not a great whale and which is not an endangered species. The Beluga whale is an important subsistence species hunted along the entire Arctic coastal range of Alaska, Canada, and Greenland. There is a heavy concentration of Beluga hunting at MacKenzie Bay where the Canadian government and Dome Petroleum have announced that there has been a significant oil reserve discovery.

Mr. Rod Moore, representing Alaska Congressman Don Young and the House Committee on Interior and Insular Affairs, stated, "they just picked an arbitrary number. That was the basis for this 12 whales." Observers at the proceeding complained that the Commission acted without adequate technical information. Said Moore, "It was evident on everybody's hands that the scientific committee did not have all the data it needed."

The Inupiat expressed great disappointment at the compromise. They had lobbied for a limit of 18 whales. Many conservationists agree that 20 or 30 Bowhead whales could be killed each year without perceptibly reducing their number. Following the meeting, Inupiat spokespeople announced that they felt the United States had never fully supported their position.

During the proceedings, Inupiat whalers learned that the U.S. Marine Mammal Commission has long advocated bringing the Beluga whale under the jurisdiction of the IWC, although not a word of this had ever been mentioned to the Native community of Alaska or Canada. Eben Hopson vigorously protested this attempt to extend IWC jurisdiction to a species about which there was no evidence of depletion, and which was taken only for subsistence use by the Native people. The major result of the meeting was that the IWC had

confirmed its claim to be able to regulate Native subsistence whaling, something that it has been secretly urged to do since 1970 by an axis of U.S. civil servants and the Washington, D.C. conservationist lobby. The other result was that some of the Inupiat people were able to see more clearly the people and organizations who were in opposition to their interests.

The Arctic North is one of the places on the earth which has been spared serious penetration from the West until this decade. There are good reasons for this — mean annual temperature is 10 degrees Fahrenheit, and during winter, chill factor readings reaching 70 below zero are not uncommon. For 68 days a year, the sun remains below the southern horizon, leaving these communities in near or total darkness.

The Native people of this region have proven to be fairly astute politicians, even though they are playing against a stacked deck. Following the discovery of oil at Prudhoe Bay in the 1960s, they organized an impressive lobby to press for a fair settlement. What emerged was the Alaska Native Claims Settlement Act of 1972 by which the U.S. government agreed to pay the Native people nearly \$1 billion over 20 years for parts of their land, and which guaranteed them continuing possession of millions of acres of their ancestral territories.

But Native wealth in the far North appears to be more of a mirage than a reality. The extraction of natural resources from this area requires competency in a wide range of modern technologies which are possessed by few Natives. For the most part, skilled technicians have been imported at high wages for these jobs — a mechanic can expect to make \$18 an hour, school teachers are often paid \$25,000 a year. Most of the modern manifestations of wealth — running water, electricity — are enjoyed by the newcomers from the south. But the Native people often live in shacks in small communities, and few enjoy the conveniences of prosperity or the jobs which seemed promised by development. Although wealth in the form of dollars appears to be everywhere, most of that wealth is siphoned off and, like the natural resources, goes south. Each family has received no more than several hundred dollars from the Alaska Claims Settlement. The land of the Inupiat is experiencing the pains of colonialism.

The process has brought many problems to the people. Some of those problems include increasing use of alcohol, and rising racial tensions. Many more problems seem to loom for the future, and some of these center around the age-old dependence of the Inupiat people upon the Bowhead whale.

The North Slope Borough was incorporated six years ago in 1972. Its mayor is Eben Hopson, who resides in Barrow, Alaska, the largest Eskimo village in the world, with a population of 2,200. He is one of the most powerful office holders in rural Alaska. Much of remote Alaska has been divided into regional corporations owned by Native people. The Arctic Slope Regional Corporation is the largest and probably also the wealthiest, covering 88,000 square miles. It has 10,000 inhabitants.

Following the Tokyo meeting, Hopson stated, "At the present time, I'm thinking along the lines of filing a jurisdictional suit against the IWC. If our argument wins, then there can be no more moratoriums or quotas imposed by the IWC." He has called upon the U.S. government "to reject the unjustified action by withdrawing its membership in the IWC."

Later, in an interview with the *Tundra Times*, he said, "I have repeatedly said that we plan to continue with our spring hunt. There is a possibility that the quota itself may be violated."

(Thanks to TUNDRA TIMES, WASHINGTON POST, AMERICAN INDIAN JOURNAL, and the ARCTIC COASTAL ZONE MANAGEMENT NEWSLETTER for much of the information contained this article.)





## Humpty Dumpty GAVE A GREAT CAW!

### JURY: "WAMPANOAGS DON'T EXIST."

Ever since the first European arrived to this part of the world, Western Civilization has been trying to pin down a lasting definition of, Who are the Native People? In the 1600s, great debates raged in Spain about whether the Native peoples had souls, or whether they were capable of being civilized. Down through the years every institution of the West has been involved with the process of defining Native People. Now, in 1978, the U.S. District Court is grappling with the issue. In virtually every case the bottom line, the essential point of contention, has been — land. In this particular Bostonian issue, it involves more than 11,000 acres with a value of \$30 million in its undeveloped state.

The claim was brought by the Wampanoag People who reside in the Town of Mashpee, with assistance from attorneys from the Native American Rights Fund (NARF.) The Town's defense is headed up by James St. Clair, former President Nixon's attorney during Watergate. Mr. St. Clair countered the Wampanoag claim by asserting that they were no longer a tribe, but rather a fully assimilated body of people who had voluntarily given up their Native rights. The whole of this complex, far-reaching matter was brought before an all-white jury during the winter of 1977-78.

After five weeks of testimony the jury, which in this type of hearing serves a basically consultative function, concluded that, although the Wampanoag People were a tribe at various points in their history, they are not now a tribe (now that it could count, now that some land could be involved.)

Judge Walter Skinner has taken this finding into consideration, and has requested that the attorneys present final briefs before he makes a ruling. "I want whatever Court that hears the appeals to have as complete a trial record as possible."

Whatever findings come out of this process will have long range affects on all Native people. The precedents set by this trial will be used over and over until other precedents are set. To clear the question of whether the Wampanoags were still a tribe or not, both sides went into the issue with a fine tooth comb, so to speak. Each side called upon dozens of 'experts' such as anthropologists — one of whom remarked, "the very concept of American expansion is on trial." Colonel Custer would not have approved. Testimony was also taken from sociologists, museum curators, and others who have "studied" Native people. It was a case of all the king's horses and all the king's men, except that the problem was historical, political, legal, philosophical, moral, and a few other things, all rolled up into one issue.

The main thrust of St. Clair's attack focused on whether or not the Wampanoag people still exercised sovereignty. Some of his questioning concerned whether Wampanoags still held the power of marriage and divorce, whether they levy taxes, whether their political institutions are paramount to those of the state or other governments. He also pressed from a point that the Wampanoag language, culture and religion were no longer in use or followed. They were hard questions posed to a people who were cajoled, forced, blackmailed, and sometimes terrorized into adopting the white man's religion (most Wampanoags are or have been at least nominal Baptists.) They were tough questions, too, to a people whose culture had been, at least in a material sense, virtually destroyed by the encroaching New Englanders many generations ago. They were questions which should have been at least as embarrassing to the people who were asking them in court, the people who had historically exploited the Wampanoag since the time of the old Massachusetts Bay Colony and the days of John Mason.



Are we Indian or are we not? They told us once but....

To all of St. Clair's attacks the NARF attorneys countered with their "experts" and continually pointed to the historical reality of the European presence on the East Coast, and how that has manifest itself upon the Wampanoag. But it is not easy to prove that you are a Native People to a Western institution.

One time a people (not the Wampanoags) told about something that happened to some redwing blackbirds. It seems that these blackbirds somehow came under the influence of a huge population of crows. As time went by, some of them began to grow larger, and even lost the distinctive markings on their wings. Simple association, it was supposed, led these blackbirds to change, until after a while they no longer sang their beautiful songs, and emitted instead a homely "caw." They took up the eating habits of crows, even looked a whole lot like crows. Some of them even thought they actually were crows.

But a few remembered that, in reality, they were blackbirds, that they might look like crows, they might sound like crows, that they might even think that they actually are crows. But the crows knew that they were blackbirds, and, after all, everybody knew it was only a game. A blackbird can't really become a crow. Or can one?

The issue (the Wampanoag issue) is certain to carry on for several years. Both sides have clearly indicated that they will appeal any decisions favorable to the other. The Town of Mashpee has already spent \$700,000, and are prepared to raise the \$2 million they feel will be necessary to carry the fight to the Supreme Court. So for now we wait and watch and learn how each step defines what is a Native people.

## THE MAINE LAND CLAIMS CONTROVERSY: A COMPROMISE...

It was announced on February 10, 1978, that a joint memorandum of understanding had been reached by a White House Work Group and the Passamaquoddy and Penobscot Nations. The memorandum is divided in two parts that encompass the entire land controversy in Maine.

Part I sets forth an agreement between the Carter Administration and the two Native nations. The two Nations, in exchange for a federal payment of \$25 million, agree to the "extinguishment of the tribes' claims to 50,000 acres per titleholder of such land within the 5 million acre revised claims area (Area I) to which title is held, as of this date by any private individual(s), corporation(s), business(es) or their entity(ies) or by any county or municipality; and (2) for the extinguishment of all their claims in the 7.5 million acres (Area II) in the claims area as originally defined. Thus every landholder within Area I would have his title cleared of all Passamaquoddy and Penobscot land and damage claims up to 50,000 acres, and all titles in Area II would be totally cleared of such claims."

"The tribes will execute a valid release and will dismiss all their claims with respect to Area II and with respect to landholders with 50,000 acres or less in Area I. The legislation will not clear title with respect to any of the holdings of any private individual, corporation, business or their entity which are in excess of 50,000 acres in Area I, nor to any lands in Area I held by the State of Maine."

Part II of the memorandum sets forth, without Carter Administration endorsement, terms on which the nations have promised that they will drop their claims in Area I against the State and large landholders. The large landholders are 14 paper companies or families involved in the paper industry. This portion of the agreement calls for the White House Work Group "to communicate these terms and conditions to the appropriate representatives of the State and the affected landholders."

Currently the two nations' claims against Maine involve approximately 350,000 acres, plus trespass damages. According to the terms of Part II, "the tribes are willing to dismiss and release all their claims for land and damages against Maine in exchange for an assurance that Maine will continue these appropriations at the current level of \$1.7 million annually for the next 15

years." The \$1.7 million is the current rate of annual appropriations to the two nations for services. The memorandum calls for the funds to be channeled through the Department of Interior "as trustee for the tribes."

In return for extinguishment of claims against the nearly 3 million acres of the 14 landholders, "the tribes ask that 300,000 acres of average quality (approximately \$112.50 per acre) timber land be conveyed to the Department of the Interior as trustee for the tribes, and that they be granted long-term options to purchase an additional 200,000 acres of land at the fair market value prevailing whenever the option is exercised."

The federal cash outlay will be \$30 million, \$25 million to the two nations, and \$5 million to the large landholders. The State of Maine and the 14 landholders have yet to agree to the terms.

Originally, Judge William Gunter recommended a settlement that called for at least \$57 million in cash and services, and options on 400,000 acres. This memorandum provides \$79 million in land, cash, and services, plus options on 200,000 acres. The scope and intent of this memorandum falls within the scope and intent of a recent memo from the Office of Management and Budget (OMB) addressing the question of how to settle Native land claims. In this memo, OMB recommended that Congress avoid legislative extinguishment of Native titles. To do so, reasoned OMB, would open the way to lawsuits for damages, and unlawful extinguishment that could lead to billion-dollar settlements based on current land values. The more economical way would be to allow for negotiated settlements based on the land values of the period of time in question. The \$25 million offered to the Passamaquoddy and Penobscot comes to approximately \$2.72 per acre. With the State services and 300,000 acres thrown in, the price comes to \$8.59 per acre. The cost of the option on the 200,000 acres, based on fair market value at the time of purchase, could be as costly as \$22.5 million. The package being proposed is viewed as equitable by OMB and the White House, in addressing 184 years of damages and trespass.



Critics of the land claims suit, and the subsequent memorandum, have long felt that the two Native nations would receive the "short end of the stick." One criticism has been focused on the strategies of the NARF (Native American Rights Fund) lawsuit. One of those strategies has involved the argument that the 1790 Non-Intercourse Act, which forbade dealings with Indian nations in the absence of federal presence and approval, was the beginning of the "federal trust responsibility." Some attorneys have argued that the language of the Act does not do this. They say that in view of historic reality, the 1790 Act was passed to restrict the states from involving the infant United States in a massive frontier war with the Native nations. "The Act was passed in response to numerous complaints from Native nations involving illegal land transfers and immigrant squatters in the Native territories."

One attorney pointed out that to present the "federal trust argument" opens the Native nations to termination by Congress. The sudden rash of termination bills before Congress have been a result of Congress' assumption of "plenary power" and "the federal trust relationship" over Native people and their lands. Another criticism has centered on the policy of extinguishing Native titles based on 18th and 19th Century land prices. This has been the criteria of awards by the Indian Claims Commission, and is now being carried on by OMB and the White House. If the Passamaquoddy and Penobscot were to use their \$25 million to purchase the 200,000 acres five years from now, it is probable that they will find that they will need to borrow more money to make payment.

Several other land claims are pending. Leaders of the other claims have been anxiously awaiting the Maine settlement as an indicator of what they could expect. For some, it means a toughening of their position. For others, it makes the option of pursuing their case in the courts look better. In any event, the battle for lands and resources will continue and will almost certainly get tougher on both sides.



# ACHE

## DEATH CAMPS in PARAGUAY

By Richard Arens

The Ache Indians of Paraguay, a peaceful and primitive tribe that has lived for centuries in the jungles of South America, hunting and gathering food, is being systematically exterminated. As a matter of official policy, the Ache have been hunted like animals; the survivors of these manhunts have been sold into slavery or forced onto reservations. Today, their tribe numbers no more than 1000, and as a result of the continuing genocidal policies of the government of Paraguay, is in danger of extinction.

What have the Ache done to deserve this fate? In recent years Paraguay has experienced something of an economic boom. In 1965 and again in 1968, roads were cut through the jungle, making it more accessible and vastly increasing land values. Large lumber and cattle interests began moving into the interior of Paraguay. When this happened, as one observer has noted, the Ache became "inconvenient." Quite simply, they became an obstacle to economic development. And, as the corporations and their willing accomplice, the government of Paraguay, saw it, the Indians had to be removed.

The official policy was to "sedentarize" the Ache on reservations. Unofficially, the Paraguayan government set about to remove the Indians from their land by any means necessary. It is well documented that the man in charge of the "sedentarization" project, Manuel de Jesus Pereira, conducted manhunts against the Ache. Bands of Ache were slaughtered by rifle and machete, and the survivors were sent to reservations. Conditions on these reservations have been described as comparable to those in Nazi concentration camps.

These basic facts were first brought to the world's attention in 1973 by the German anthropologist Mark Munzel in a publication of the International Work Group for Indigenous Affairs (IWGIA), an organization based in Copenhagen. The International Commission of Jurists and the Anti-Slavery Society of Great Britain found his report persuasive, and the International League for the Rights of Man, as well as the Roman Catholic Church of Paraguay, denounced what they labeled as a campaign of genocide against the Ache Indians. Still, the atrocities continued, and the Paraguayan government continued to deny their existence.

In 1976, Temple University Press published, under my editorship, *Genocide in Paraguay*, in which the Paraguayan government was charged with complicity in the extermination of its Ache Indians. The genocidal practices perpetrated against the Ache included, but were not limited to, the following:

- Ache were subjected to manhunts in which they were pursued like animals. Many were killed outright. The survivors were taken to reservations.

- Many of the Ache on the reservations were sold as slaves—the men as manual laborers, the women as prostitutes, and the children as domestic servants. Others were simply left to die. Reservation officials would induce periodic waves of starvation in which both food and medicine would be withheld.

- Indians on the reservation were denied the right to speak their language, sing their songs, practice their religious rites, and give their children Ache names. The purpose—and result—of these prohibitions was to create a feeling of helplessness and despair among the Ache and to destroy their cultural identity.

*Genocide in Paraguay* succeeded in attracting additional attention, including some expressions of concern by congressmen, to the plight of the Ache. Not long after its publication, the director of Indian affairs of the Paraguayan Ministry of Defense invited me to come to Paraguay, so that I could be convinced, he said, on the basis of firsthand observation that the life of the Ache—and of other Paraguayan Indian tribes, as well—was not as bad as had been described in the book. The U.S. ambassador to Paraguay, George Landau, also telephoned my office several times to persuade me that my going to Paraguay would serve a useful purpose and that, if I went, my safety would be guaranteed.

This was, in fact, no small concern. About the time *Genocide in Paraguay* was published, the Paraguayan government arrested the staff members of a project called Marandu which had sought to provide the forest Indians with food and medical assistance and to inform them of their rights under Paraguayan and international law. The members of the Marandu project were drugged, beaten, submerged in excrement to the point of near drowning, and the women were subjected to grotesque forms of sexual abuse. In 1976, the Paraguayan government deported six Roman Catholic priests who had denounced the genocide of the Ache; it also arrested and tortured a seminarian. Six Protestant missionaries doing Indian relief work were arrested.

However, the representatives of both the Paraguayan and U.S. governments persisted, charging that by not accepting the invitation to go to Paraguay I would be acting perversely. They declared that as editor of *Genocide in Paraguay*, I bore a special responsibility at least to see for myself that the book was based on false information. Not to do so, they said, would prove that I was unwilling to test the argument of the book against the facts.

It appeared as if I had to go.

The jungle changed from lush and wooded terrain to a lunar landscape marked by grotesquely charred tree stumps; mute relics of the deforestation program that had dispossessed the Ache nation in this area.

Funded by Survival International of Great Britain, I left for Paraguay on August 17, 1977, and arrived in Asuncion on August 18, 1977. I was met by Colonel Alberto Samaniego, the director of Indian affairs; a civilian member of the Asociacion de Parcialidades Indigenas (API), the successor to the defunct Marandu; and the third secretary of the U.S. embassy.

My arrival had been presaged by the arrest and detention (as usual without charges) of Oscar Rodriguez, a member of the API staff. The U.S. embassy seemed confident on the day of my arrival that his release was imminent, but as this article went to press, he was still a prisoner.

At 7:00 sharp the next morning, General Marcial Samaniego, the minister of defense, received me in the presence of a retinue of aides. There was much heel-clicking and I was photographed alongside a smiling minister. He assured me that a German anthropologist, whom he accused with some virulence of misconduct involving Indians, had concocted the lies about Indian suffering, and that now that I could see for myself, I should easily be able to tell fact from fiction. The fact was, and he put his right hand over his heart (above a most impressive paunch) in a gesture suggestive of the taking of an oath, that "we love our Indians." He added immediately thereafter that it was the policy of Paraguay "to integrate them into our society"—an expression I had come to understand as meaning that the Indians had to be driven out of the forests and rendered sedentary. As has often been noted, the "sedentarization" of a free hunting community, without decades of careful material and psychological preparation, inflicts suffering and, ultimately, death upon those rendered "sedentary." When I tried to raise this point, the minister shook my hand as though I had just expressed a sentiment of appreciation. A question about the imprisoned API staff member was left similarly unanswered. The minister assured me of the willingness of the Paraguayan government to let me see everything. I was not told that a northern part of the Chaco region in western Paraguay was barred to all unauthorized visitors, which included me. (I never was permitted into that area.) I was informed that I would be accompanied by a Ministry of Defense official who would serve as my interpreter wherever I went to meet Indians. After several days of surveillance, the young man attached to me from that moment on admitted, over a drink, that he was a member of the Intelligence Service of the Paraguayan Army and was reporting on me at required intervals.

Not until after an officer of the Ministry of Defense had telephoned the Colonia Nacional Guayaki on August 18 about an impending visit, was I finally permitted to proceed to the Colonia on August 20, 1977. This was the major reservation for Ache Indians, located in the eastern part of Paraguay, which Mark Munzel and others had described as a death camp. It took approximately five hours to reach it by embassy limousine, starting on moderately well paved highways and continuing upon dirt tracks and rocky and untended mountain trails.

The reservation was in a secluded area of the jungle, much of which showed evidences of ravages by the white man. Approximately 30 miles before reaching the reservation, the jungle changed from lush and wooded terrain to a lunar landscape, marked by ghostly emptiness save for a grotesquely charred protruding tree stumps, mute relics of the Paraguayan deforestation program that had dispossessed the Ache nation in this area. Neatly constructed houses for officials of the New Tribes Mission, which is in charge of the reservation, contrasted sharply with dilapidated hovels available for the Aches at a not insignificant distance from the missionaries.





The hovels reserved for the Indians consisted of a makeshift collection of logs haphazardly attached to the ground and maintaining a precarious balance as they swayed in the Paraguayan winter wind. Gaps left between the logs were often wide enough to admit a child or even an adult to say nothing of the elements. Canvas and paper and odd pieces of aluminum would occasionally be used to plug such openings. Logs of comparable quality were used for the creation of a roof. Here, too, the logs were in no way suited to keep out the elements—although they might be reinforced by canvas, cardboard, or aluminum sheeting.

A glance at the interior of the hovels revealed an absence of any bedding materials, with the occasional exception of a piece of wood; in only one instance was the wooden slab raised from floor level. The hovels were strewn with offal, an occasional log for making a fire, rusty food utensils, and scraps of newspapers handed to the Indians by the missionaries as cover against the winter cold. No sanitary facilities were visible save for the outhouses of the administration.

An unmistakable odor of human excrement lingered over the Indian part of the reservation.

The Indian population we encountered consisted predominantly of elderly women and young children. A few elderly men were observed. There was a striking absence of young adult males.

Indian adults were squatting in positions of abject depression. No man or boy was seen wearing the traditional lip ornament known as the *beta*. All evidence of Indianness had been vigorously suppressed. Children disclaimed all knowledge of the Ache language. Indian women responded to inquiries about their native songs by saying that they had not sung them for a long time. When asked why, the women said they were weak and lacked energy. An Indian maintaining a conversation with me through an interpreter in a standing position would sit or lie down on the ground in what seemed total apathy or fatigue within minutes of the conversation. Yet the conversation was not cut off. It seemed that he lacked energy to stand for any protracted period of time.

The missionaries proudly announced that all Indians were Christians. I asked for the name of a four-year-old Indian boy, and one of the missionaries' wives replied, "It is Felipe, a civilized name." When I asked the boy what name he preferred, he unhesitatingly gave his Indian name.

Ache Indians lack a sense of time as it is understood in the industrialized West. But they knew that they had been in the Colonia Nacional Guayaki for what could pass for a lifetime. When asked who had brought them there, almost all of them said, "Periera" — Manuel de Jesus Pereira, the first administrator of the reservation—and with a frenzy born of a recollection long stifled, began displaying the scars left on the bodies of those who had survived the machetes wielded Manuel

de Jesus Pereira and his manhunters. And they remembered those who had been struck down, never to rise again. But then the frenzy died as suddenly as it had started, and men and women, prematurely old, sank back against the ground, as if in anticipation of final interment. Psychological death stared us in the face.

The appearance of the children, who at times appeared to play fitfully as though they lacked energy for more demanding games, was marked at first glance by excessive fat. A closer look revealed unevenly distributed fat deposits, an unhealthy chubbiness, in point of fact an appearance of bloating highlighted by distended abdomens, sometimes to the point of angularity. There was, moreover, not a child who did not suffer from festering sores, lesions, and blotches, covering arms, legs, and scalp, which was often completely denuded of hair. All the children were coughing and had runny noses. Both the diet (the staple on this reservation is the sweet potato) and the physical appearance of the Indians—above all, the appearance of the Indian children—were consistent with the protein deficiency disease known as kwashiorkor.

Outside one of the huts, seated near his mother, was an Indian boy, barely 18 years old. Though no sound passed his lips, tears were streaming down his cheeks as he looked into space, clearly avoiding eye contact with any person. The mother approached the interpreter of the API and explained that he had been like this for at least six weeks. She showed us a half-empty aspirin bottle that the missionaries had given her for his use. When I turned to the missionaries for an explanation, I was told that the boy was merely trying to attract my attention. While this explanation was being offered, the boy went into convulsions on the ground, and one of the women in the missionary group said: "Oh, just look at him. Isn't he a marvelous actor?" I replied that I did not think this was a matter of acting and that while I could not speak for the embassy, I could assure the reservation official that the fate of the boy would be watched with keen and sympathetic interest by such international human rights organizations as Survival International and the International League for Human Rights. The immediate response was surly, but the warning at least produced some action. We were permitted to take the boy in the embassy limousine to a doctor living some 50 miles up a rocky jungle path, though not to a hospital, because that would cost money. We were told, however, that if the doctor recommended it, hospitalization might then be considered.

Upon arriving at the doctor's office after a bumpy three-hour ride, the Indian boy, Santiago Duarte, was pronounced gravely ill and in need of instant hospital attention. At the end of another three-hour ride in the embassy limousine, the boy was received in an Asuncion hospital in a semiconscious state. Within days, the biopsy that was performed revealed a widely metastasized malignancy. Doctors familiar with the case said that the boy's condition had been ignored by the reservation officials for at least 18 months and that the

prognosis was grave. Within days of this development, representatives of the New Tribes Mission had removed the boy from the hospital, claiming that the boy was unhappy there and that the cost of hospitalization was prohibitive. Their claim was without foundation, as they could not converse with Santiago in his Ache dialect. I had promised to hold myself personally responsible for the cost of the first few days of hospitalization, and API had assumed full responsibility for his treatment. I immediately informed Colonel Samaniego of the boy's removal from the hospital and urged him to take the necessary steps to see that treatment was in fact made available. Samaniego ordered the boy brought to a military hospital from which removal by the New Tribes Mission would be barred. Within days, the New Tribes Mission filed a letter of complaint against me with the U.S. embassy.

I visited the Father Livio Farina Mission of Puerto Casado on August 22, 1977. The mission is located near a tannin factory, which is located near a tannin factory, which is the industrial mainstay of this part of the Chaco. It houses some 700 Indian residents, drawn on for unskilled labor for the factory. Approximately 800 more Indians, occasionally attracted by the factory, bivouac in the neighborhood within a radius of 30 miles. They include the Angaité, Sanapaná, Guana, Lengua, Toba, and Guayayos.

Upon entering the mission proper, one was immediately struck with the same stench of excrement noted in the Colonia Nacional. Here, however, it appeared more pervasive. The mission's Indian settlement was conspicuously divided by a fence "segregating" Christians from "pagans." While the hovels in which Indians lived were essentially indistinguishable on both sides of the fence, the "Christian" area did have a sheltered outhouse, while the "pagan" area lacked all sanitary facilities. The ramshackle housing, incapable of offering shelter against the elements, was again the dominant characteristic of Indian living. The interiors of the hovels in which Indians lived were, like those of the Colonia Nacional, devoid of bedding but contained charred logs and rusty eating utensils. Elderly men and women, some near death, could be seen squatting or lying in the debris. I asked a woman whose eye had been gouged out how she had sustained the injury. She shrugged and said it was an accident. When I asked whether she had asked for medical attention, she gestured with contempt and said that she did not have the money and medical attention had to be paid for. Another woman, clearly in pain and lying on the ground of a hovel, was asked why she had not requested medical attention. She replied that it was not made available.

The adult males in this mission made their living as unskilled laborers, working a 12-hour day in the tannin factory. Looking clearly emaciated and resigned, they could be seen struggling with bags of produce on their backs.

When believed to be unobserved, an Indian would occasionally display his back to a visitor to reveal the



*Dying man at Colonia Nacional Guayaki*



abrasions and sores caused by the weights that he carried, day in and day out in the factory. Festering wounds were shown to have been left unattended.

Factory wages for Indians were not easily ascertained, although it was clear from the general level of undernourishment that they were below any reasonable subsistence level. Occasionally, "wages" would be disbursed in rotgut whiskey. Numerous Indians could be seen lying drunk or comatose upon the ground. One Indian, his eyes glazed with alcohol, wandered past our group. His gait was steady and his speech only slightly slurred. He said he was happy. The alcohol had wiped out all recollection of his suffering and yet he could still enjoy the sun and the trees. Within minutes he had collapsed upon the ground.

During our stay at Puerto Casado, an Indian died within a few feet of me. When I asked if an autopsy would be conducted to determine the cause of his death, I was told that Indians did not rate autopsies. Besides, said the officials, the multitude of Indian deaths at work would render normal autopsy procedures financially and practically prohibitive.

The political and religious purity of the Indians was policed by nuns. They followed me to overhear each conversation I had with an Indian, "Christian" or "pagan." Asked whether the Church looked after such matters as Indian health, one nun replied that most Indians could not pay for it but that "serious" emergencies would be handled without cost to the patient. The impression that I gleaned was that the nuns were the liaison officers between the priest, the industry, and the police.

The reservation was supervised by a priest of the Saliciano Order. He addressed several of his parishioners in my presence with such remarks as "Hello, you old liar," or "Buster, you're due for another warning from me." It was widely claimed that he had reported as Communists parishioners who appeared to be troublemakers at the plant. What appeared beyond dispute was that this mission—acting in defiance of habitual Catholic church policy in Paraguay—had prohibited Indian songs and dances and did not tolerate the open practice of Indian religious rites, even for the "pagans" segregated behind their ghetto fence.

I told the priest that I was shocked by the sanitary and health conditions of his mission—on both sides of the fence—and appalled by the practice of dispensing medicine, even for snakebite, on what seemed a cash-and-carry basis. The priest said that life was hard and medicine high and that we had to be patient. In the only outburst of anger I permitted myself in Paraguay, I replied that life was sacred and that patience with life-destroying conditions was intolerable. The priest nodded and said that it was all very sad. He seemed stooped and older than his years; some of the residents of his mission said that he was sick, and some that he drank to excess. He walked with difficulty toward his quarters, apparently resigned to realities beyond his strength.

A cess pool was located in the heart of the

reservations on the "pagan" side. It was flanked by four hovels constructed in part of aluminum and timber, and with scraps of cardboard, newspapers, and rags stuffed into the more prominent gaps. A photograph in my possession displays this particular scene with the further addition of a gnarled woman attempting to prepare some edibles outdoors. She is sitting outside her hovel, flanked by a tree and a number of branches, which have fallen into the cesspool. A vulture perched on one such branch is facing the woman, the hovel, and its inhabitants.

On August 26 we arrived by military plane at Faro Moro in the Chaco. We taxied down a makeshift airfield located in what at first glance looked like a wild expanse of wilderness. Almost immediately upon arrival, our military aircraft was surrounded by approximately 100 Indians. They were Moros or Ayoreos. It seemed that more than the novelty of a flying machine in a primitive wilderness had attracted them, for they stroked it and clung to it until they finally turned compulsively to every one of the strangers who emerged. Each Indian had something to tell. I was unable to make immediate verbal contact with an Indian as I was temporarily separated from the Moro interpreter whom we had brought with us from the nearby settlement of Filadelfia.

In the interim, I found myself talking to the mission administrator—this was yet another reservation under the jurisdiction of the New Tribes Mission. The mission administrator informed me that he had about 200 Moro Indians on his premises, that he regarded their food as adequate, and that he saw no health problems among his flock, 90 percent of whom he regarded as Christians. When asked whether the Indians were given freedom of religion and cultural expression, he replied in the affirmative, adding however, "but we forbid immoral and wicked chants."

Everywhere I looked, I found the overcrowded makeshift hovels, wide open to the elements and cluttered with charred wood and offal, yes, and an occasional snake. Nowhere I looked were there sanitary facilities for Indians, and the place reeked of excrement with a pungency which exceeded even that of the Father Livio Farina Mission.

Again, there seemed a strange absence of young adult males. Fewer than a handful could be seen.

Upon returning to our Moro interpreter, I was in direct and friendly contact with the Indians for the rest of our stay, and their story was the worst of all we had heard.

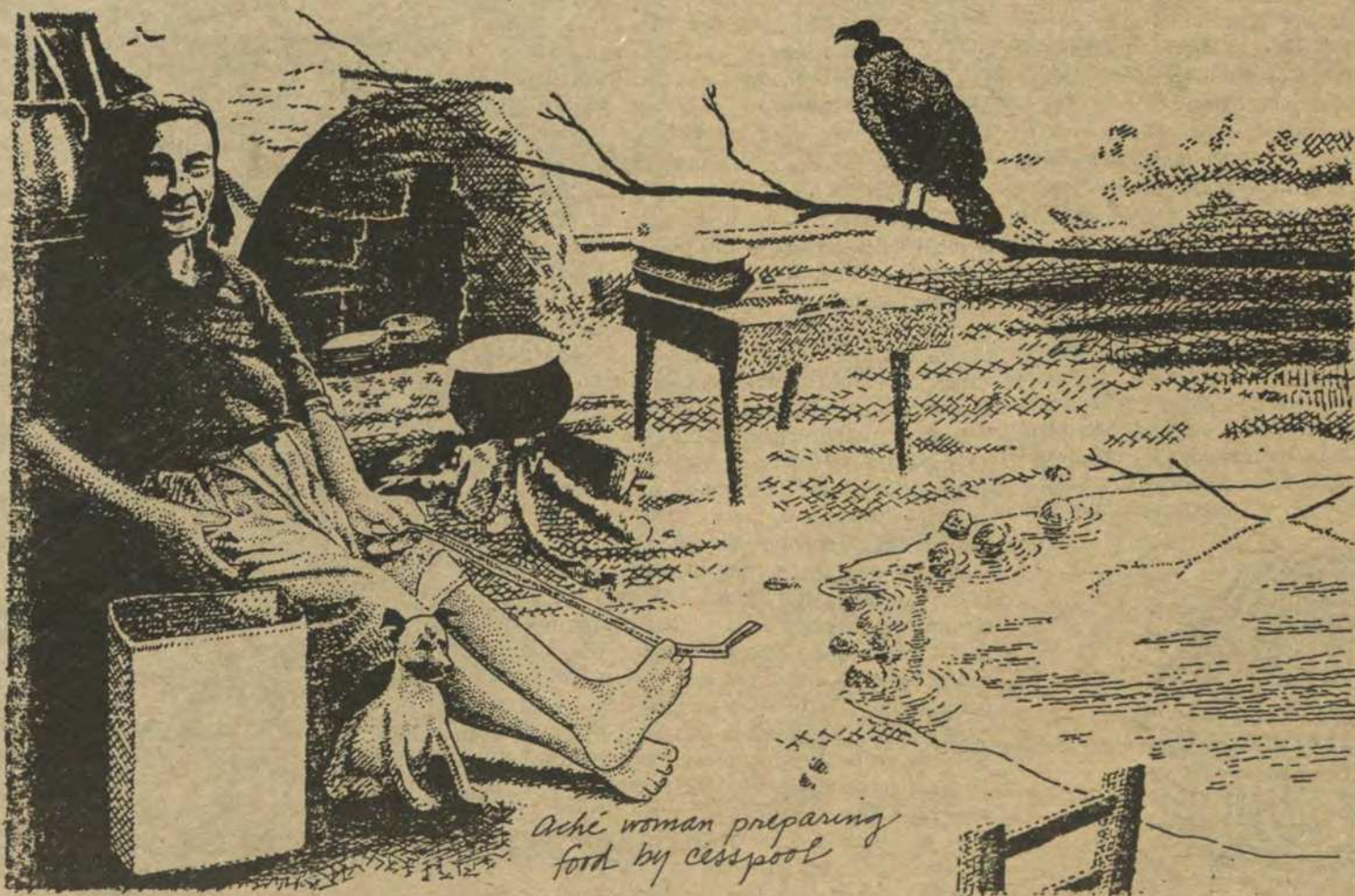
They had, so they said, insufficient and inedible food, no doctor and no medicines. They were faced, they continued, with a never ending and demeaning interference with their folkways. An Indian informed us that one Indian had died the day before our arrival; another, a few weeks before. Both were described as having lingered for weeks without medical attention. As I looked about one of the Indian hovels, I noted a

mound of recently shoveled earth. I was told that this was a grave of a man buried within the last few weeks. Were there more than I had been told about? The Moro interpreter communicated my question and waited. I was met with silence as an unspoken fear transmitted itself to all present—the figure of the reservation administrator, absent at the start of the interview, now loomed over the assembled Indians and their interviewers. One thing, however, was clear; Since the Indians traditionally buried their dead in the jungle, the graves suggested either a total psychological and cultural disorganization on the part of the Indians, or else a refusal by the New Tribes Mission administration to permit Indians to bury their dead according to their rites.

As I mingled with more and more of the Indians, I found myself engulfed by the collective gloom of a people who had given up on life. The administrator asked me how the Indians impressed me. I replied, "They are terribly depressed." "Repressed?" asked the administrator in a note of indignation. "No, depressed," I replied—and the administrator shrugged as if as something inconsequential. Yet, the people collectively bore the demeanor of a group of mourners at a funeral—and this is understatement, since the expression of mourning appeared mingled with despair.

I was about to enter another Indian hovel, but was stopped by an Indian woman, Kai Che Ke. She flung herself at me with a face contorted with grief, but without tears. She reported that four of her children had recently died on the reservation without medical attention. As I entered the hut, I encountered a Moro Indian, approximately 20 years old, struggling to support himself in a sitting position which, in the custom of his tribe, is the ceremonial position anticipatory of death. The mission administrator, who had previously told me that there was no health problem, stepped inside and said that this Indian was a terminal tuberculosis case, and that there was nothing that could be done for him. Several seriously emaciated Indian children hovered in the background. The immediate family of the dying Indian, whose name was Epajai (although the whites, against his wishes, called him Roberto), showed me a bottle of aspirin, the medication he was given for his illness. He was visibly convulsed by stomach spasms and coughs, and told me, through the interpreter, that he was no longer able to stand upright.

I asked the reservation administrator why Epajai could not be taken in our plane to a hospital. The administrator replied that he could not afford it. When told that he would not be responsible for the expenses, he replied that the Indian would be unhappy away from his family. "Nothing can be done for him, in any event," he concluded. The administrator then promptly contradicted himself by saying that the Indian had been working the fields only a few days ago—and then added, hastily, that he had been doing only light labor. Once again, he turned down a request to permit the Indian to be taken to a hospital. On leaving the hovel, we were



*Aché woman preparing food by cesspool*



surrounded by another group of Moro Indians. Once again, the striking fact was the absence of any normal proportion of adult males. Many cried and said that now that we were about to depart, they would soon die. A Moro woman, perhaps 50 years old but much older in appearance, took my arm and said she did not want to live. I held her hand and made the usual superficial remark about hope. She recoiled but replied without bitterness, "My husband died only a little while ago and so did the rest of my family. I want to follow them."

We had spent approximately two hours on this reservation. As we proceeded to the aircraft, we inspected some of the primitive cooking utensils utilized by the Indians. We found no food we would have regarded as edible, but we discovered foul-smelling animal skins, apparently intended for Indian consumption. The physical appearance of the adults tended toward the emaciated. Children varied—some showing the conventional signs of malnutrition, others the bloated appearance described at the Colonia Nacional.

As we entered the plane, Indians tried to delay our departure, as if life itself depended on our continued presence. Some of them held on to the plane as though to keep it in place. For a minute or two all of us, and particularly the pilot, sat immobile in response to their plea. Then as if accepting the verdict against them, the men and women who had surrounded the plane stepped aside. The pilot started the engine. The plane took off and the unhappy Moro Indians dissolved into the distance.

At 7:00 A.M. on September 2, 1977, I kept an appointment made for me by the U.S. embassy with Paraguayan Minister of Defense Marcial Samaniego. I was received by a number of uniformed aides and then left with the minister and the member of the Paraguayan Intelligence Service (my security escort) as the only interpreter. For almost two hours, I was forced to listen to a monologue maintained by the minister between sips of tea, which was handed to us in porcelain cups refilled with almost embarrassing regularity.

The tone of the monologue was an extraordinarily friendly one. Paraguay was the best friend that America had in the hemisphere. It tolerated no iron curtain embassies or missions and was a haven for American investment, which was not subject to the fluctuations of less carefully regulated markets like North America.

The minister moved his chair toward mine conspiratorially as he explained to me how I, or any American national, could make a modest investment multiply with almost lightning rapidity in Paraguay under proper guidance.

I barely had a chance to raise a question or two about the plight of the Indians, to which the minister replied that the situation was much worse in Brazil. At this point, heel-clicking men in uniform entered the room, headed by Air Force General Ranolfo Gonzalez. My interview with the minister was over.

A new stage of the proceedings was about to begin; I was escorted into another conference room adjoining the minister's, for yet another exposure to Paraguayan governmental procedure. The meeting was chaired by General Ranolfo Gonzalez.

A group of approximately eight people in civilian clothes had marched into the room from one of the other doors and had seated themselves at the conference table. They were led by General Bejarano, the president of the Asociacion Indigenista del Paraguay, the official government-sponsored group for Indian welfare. Yet another group of approximately six uniformed men had accompanied General Gonzalez alongside the director of Indian affairs, Colonel Alberto Samaniego, who was silent from beginning to end, and almost worshipped in

the anxious glances that he cast toward his superior. There could be no doubt who was in charge of both the conference and the ultimate disposition of Indian affairs—Air Force General Ranolfo Gonzalez, one of whose more colorful "campaign" ribbons signified three years service as Paraguayan air attache in the political campaigns of the Washington cocktail party circuit.

General Gonzalez, who had once told a senior official of the Inter-American Foundation who had come to see him from Washington to intercede for a political prisoner, "I don't recognize you as an American. You are just a Chicano," adopted an identical tone with me. His suggestion, by no means veiled, was that I go back where I came from, Eastern Europe, where the matter of human rights violations was more like to be usefully explored than in Paraguay. This was followed by a crude attempt at testing my political purity when he inquired about my opinion of Solzhenitsyn and the failure of the White House to receive him. Hoping to salvage what I could from this conversation, I replied that Solzhenitsyn was one of the world's great writers, and that the general would appreciate that I had not been consulted as to whether he should be received by the White House, but that Secretary Kissinger doubtlessly had. "Kissinger," continued the general, "is not an American either. He is a Jew and a German." As for me, resumed the general, and his tone was now coldly prosecutorial, I was patently guilty of libeling his country and his government. The only reason that he could conceive for the lies I had peddled in *Genocide in Paraguay* was the desire to undermine the only stable anti-Communist government in South America, and only one conclusion could be drawn from that: I was a Communist.

Since the API had begged me to make every effort I could to plead for an Indian land grant, I found myself, however reluctantly, striking a conciliatory note. I told them that the picture I had seen of Indian life on my brief trip in Paraguay was not as bad as had been anticipated although it would be a serious distortion for me not to point out that wherever I went I had found Indians suffering and dying. No, I had not seen any Indian manhunts—surely an improvement attributable to Paraguayan government policy—but I had seen repeated evidence of Indian slavery. The response to this statement was morose silence, followed by ad hominem attacks by generals and their aides, shifting from the contributors to the book to me.

General Gonzalez's assessment of me as at least a crypto-Communist was swiftly supported by General Bejarano. Pounding the table with his fist for emphasis, he shouted that the claim that there was genocide in Paraguay was "a lie, a Communist lie, a diabolical lie." His colleagues in civilian clothes and military uniforms nodded and looked appropriately outraged. I had, moreover, continued General Bejarano, pointing to me, avoided every opportunity of meeting with him, notwithstanding the repeated requests that he had made to the U.S. embassy. He had been prepared from the start to explain to me the inferiority and savagery of the Indian. A recent example was an attack staged by an 11-year-old Indian savage on a white woman for whom the Indian boy had worked in Asuncion.

"I will at this stage," declared the general, "proceed with you to the headquarters of my organization, where you will be left in no doubt as to existing realities." General Bejarano rose at this point, accompanied by his cohort of civilian flunkies and assorted military aides. I remained seated and replied that I was going nowhere except to the U.S. embassy, where I was shortly expected, and then to the airport, at which I was to catch my flight back to the United States in the afternoon. "You have said," responded General Bejarano, "that Paraguayans are assassins." "No," I said, "I regard Paraguayans as some of the most charming people I have met." General Gonzalez spoke up: "Your apology comes too late. You, as a guest of the Paraguayan government, have soiled its honor." I replied that a Paraguayan government policy of concern for its Indian population could be readily expressed by terminating the slave trade. I reported specifically having met four Indians who had been slaves less than two weeks before I met them, and added: "Where was the prosecution of the slave traders?" But there was not even a ripple of interest in this theme, let alone a taking of notes, as I offered to provide the names of the slave traders to the military and civilian gentlemen determined to uphold their honor.

As I rose to leave, I was not sure that I would be leaving under my own power or with the help of an armed escort directing me to the Departamento de

Investigaciones. But to my surprise there were perfunctory handshakes. I was told in stern military tones, to inform the American public that the Paraguayan government loved its Indians and that was why it would persist in resettling them, and, further, that my report would be expected in Paraguay without fail and would be studied with care.

If the purpose of my trip to Paraguay was to persuade me that conditions of Indian life had improved under a Paraguayan government spurred, for whatever reasons, to a policy of greater benevolence toward Indians, it was not a success.

My view of Indian life in Paraguay was, in fact significantly more pessimistic after I had come and seen for myself, and the fact that I was on a strictly conducted tour—with large areas of Paraguay barred to me—did no help.

Let me deal with my findings on the trip in the order of their seriousness.

The book had recounted the subjection of the Ache to manhunts. Did I see manhunts?

No, I did, however, see survivors of the manhunts, carried out, among others, by the notorious manhunter, murderer, and slave trader, Manuel de Jesus Pereira. The survivors I saw were kept at the Colonia Nacional Guayaki. As previously described, they gave full and gory accounts of their capture and transportation by Pereira. They displayed the scars that had been inflicted upon them with machetes, and they spoke of those who had never risen after a manhunt and of those who had been taken far, far away on the trucks of the white man. The eyewitnesses have not been interviewed by Paraguayan officials with a view to securing their testimony in a court of law. They have been left to rot. So has their testimony. Eyewitnesses who made a concerted attempt to put the evidence of the massacres, and the identity of the perpetrators, before the Paraguayan authorities have been threatened with their lives. Some have been literally intimidated from going anywhere near the U.S. embassy to prevent such information from being transmitted to Washington. There is no indication that the State Department has intervened in the harassment of individuals seeking to communicate with our government. Statements by credible informants have asserted that "Peace Corps" volunteers have, at least in one recent instance, actually attempted to discourage a potential informant from trying to contact the U.S. embassy with such information.

It is true that the Pereira reign over the Colonia Nacional was formally terminated around 1973. Pereira, however, was allowed to settle on a plantation of his selection, serviced in all of his needs by Ache Indians. The estate is at present open to inspection to visitors like myself, although I chose not to see it. It is clear, however, that Pereira is aging in the comfort of the semiretirement and that the Paraguayan government is not proceeding against him on the basis of the evidence of mass murder, torture, and slave trading, which is readily at hand. Rumors have him reporting to the minister of defense as a consultant in Indian affairs—even though General Gonzalez vigorously asserts that Pereira has full severed all connections with the Paraguayan armed forces.

I interviewed an Ache Indian—outside of the reservations I visited—about manhunts. And he told me, with the culturally conditioned smile used to avoid distressing listeners, how he and a group of 30 Ache, singing around a fire they had built in a jungle forest, were set upon by white men (in a maneuver evidently planned with some care) and mowed down from all sides by rifles or shotguns. Almost all were killed, including the wife of my informant. They had heard of manhunts before, but had tried not to believe in them. That night,





he and his band of Indians had suddenly found themselves surrounded by white men who shot them down. His voice consistently flat, his face consistently smiling, he explained how he had made his escape. He carried one of his children in his arms as he fled through the forest.

As he gave his account, the flatness of his voice at times gave way to what sounded like a giggle, at times to a prolonged hysterical-sounding laugh. Throughout, however, his eyes reflected unremitting sadness and resignation, rarely lightened by the suggestion of a gleam of appeal to his listeners. Had he reported this massacre to the authorities? His answer to me carried the patience of an adult responding to the question of a child. But for the first time the flatness of his tone seemed controlled with some difficulty. "It would have been very dangerous," he replied through an interpreter.

#### Are the Indians of Paraguay held as slaves?

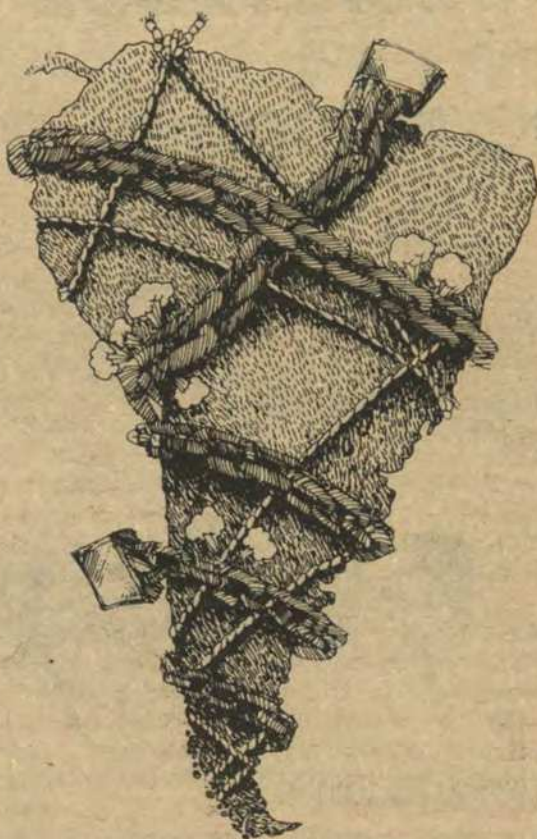
I interviewed a member of the Paraguayan bureaucracy (who cannot be more directly identified) who reported that an American New Tribes missionary, known by the first name of Roberto, had acquired 300 Indian slaves in 1975. These slaves worked for him in a remote part of the northern Chaco. Yet another informant, an Indian, told me that the owner of an estancia, Jose Dolores Pereira, was widely believed to have participated in manhunts. He was now keeping an Indian girl slave and refused to return her to her family, in spite of all entreaties. He lived approximately 9 kilometers from an Indian settlement in Laurel.

I interviewed three 15-year-old girls who had found refuge from slavery less than two weeks before meeting me. I found a 15-year-old boy who had also been a slave and had escaped only a few days ago. Each of them had been sold after a manhunt, one as recently as 1973. All spoke of other slaves whom they had known while acting as domestic servants or manual laborers, some of them in Asuncion. They provided the names of their slavemasters and, in one case, of their captors. The three girls had been used for domestic labor. All complained of overwork, malnutrition, and being kept in rags. Two of them displayed evidence of barbaric punishment. One showed large scars on legs, which, she explained, had been the result of beating; the other showed another scar upon her leg resulting, she explained, from having boiling oil thrown at her by her slavemaster. An attending doctor confirmed that her scar was consistent with second-degree burns. She escaped when taken to a hospital in Asuncion for childbirth and informed that immediately after delivery her child would be sold to other Paraguayans. Mother and child escaped with the assistance of a nun.

The boy remembered being captured in the jungle by Pereira around 1973. Taken to the Colonia Nacional Guayaki, he was sold as well, but finally made his escape. One of the girls had been bartered in exchange for two dogs.

A summary of recent information on known episodes of slavery in Paraguay, submitted to the Inter-American Commission on Human Rights and left uncontested by the Paraguayan government, has pinpointed six specific areas of thriving Ache slavery. The number is almost certainly an underestimate.

The overall impression based upon these materials, as well as upon my interviews, is that Indian slavery, far from being inhibited by the Paraguayan authorities, has been permitted to flourish and strike deeper roots—at times, it seems, with the assistance of Paraguayan army units.



*Genocide in Paraguay* documented the pervasive existence of deculturation, the destruction of Indianness, and the intimate link of deculturation with the growing death rate of the Indians.

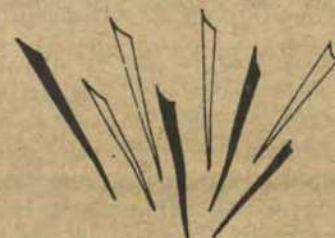
What I now found was that deculturation and its induced death rate, mainly from tuberculosis, influenza, and diseases of malnutrition, yes, and even the more subtle forms of "psychological death," had grown apace.

And this is a report on reservations that the Paraguayan government was willing to display. What about those to which access was barred? At least one New Tribes Mission in the northern Chaco, for example, is still out of bounds for ordinary travelers. Indians are suffering and dying at all but one of the reservations I saw—the only exception being the reservation at the Mission of St. Augustin, which is financed by the Inter-American Foundation and staffed by the API.

The descriptions of the other reservations do not need restatement. Literally and figuratively they deserve to be called cesspools, calculated to induce disease and death. Given the further evidence of tuberculosis, and the utter lack of medical care or concern for Indians on the reservations, it would be foolhardy to assume that even 50 percent of the Indians seen by me in all but one of the reservations will not die within a year, if not in a matter of months.

Are we to assume that the horror of existing conditions of Indian life is the product of a nationwide state of impoverishment that affects white and Indian alike? The short answer to that suggestion is that Paraguayan whites, including the poor, whose death rate is admittedly high, are not upon the threshold of extinction as a group. The Indians are. In a word, we are witnessing the Paraguayan version of a "final solution" directed against the forest Indians of the land, Ache, Moro, and all the remaining forest Indians who, however indirectly, have blocked the economic development plans of the government of Paraguay.

(Reprinted with permission from INQUIRY Magazine, [Jan. 2, 1978.] 1700 Montgomery Street, San Francisco, Ca. 94111.)



## GUATEMALAN CRAFTS NOW AVAILABLE



We are very pleased to announce the sale in these pages once again of Guatemala Crafts. Over the past year, and after considerable tribulations (and help from good friends) we find ourselves re-connected with these brothers and sisters to the South.

The items catalogued below have been brought from Guatemala especially for AKWESASNE NOTES, in many cases from families which depend upon us for their total cash income. We feel it is important to help in this way, and to make available to native people in North America beautiful handmade textiles to increase our own consciousness that it is possible to make beautiful things with our own energies and the gifts of the Creation.

All of these would make beautiful gifts for the Holidays, birthdays, special occasions, or for a special treat for yourselves in your homes. All items must be pre-paid, and are sent at the prices listed, plus cost of shipping, for which you should add \$1.00.

•••••

**MAYAN BLANKETS:** beautiful, thick, warm blankets, made of new wool with Mayan designs. Equal in quality to fancy high-priced blankets sold in the best shops. Durable enough for a bedroll, yet soft enough to sleep in. These blankets are woven on a large loom, brushed with thistles, shrunk in hot volcanic streams and prepared by a Mayan family specially for AKWESASNE NOTES people. 58 X 86 inches. A bargain at \$65.00.

**COLORFUL SASHES:** Brightly colored narrow stripes, strong enough to give real back support. Can be worn by men or women. About 6 inches wide, 50 inches long, with embroidered designs and tassels at one end. Woven on backstrap loom. Very durable. \$9.00

**WOVEN HEADBANDS OR HAT BANDS:** Various bright colors with embroidered design. Children could use them as a belt. 2 inches wide X 26 inches long. \$2.00

**LARGE COIN PURSE:** made out of colorful, embroidered, strong cloth. Zippered at the top. \$3.00

**SMALL COIN PURSE:** same as above. Ideal for childrens' gift or for carrying small change. \$2.00



# FOUR CORNERS STRIPMINING PLANS SPARK RESISTANCE

## LAWSUIT WOULD BLOCK STRIPMINING OF NAVAJO LANDS

Albuquerque, N.M. (NIYC) -- The National Indian Youth Council (NIYC) and 13 residents from the Navajo community of Burnham, New Mexico, have filed a lawsuit in U.S. District Court in Washington, D.C. to halt proposed coal stripmining activities that will cause irreversible damage to the Navajo lifestyle, land, air and water. The defendants include the Secretary of the Interior, the Assistant Secretary of the Interior for Indian Affairs, the Commissioner of the Bureau of Reclamation (BuRec), the Director of the U.S. Geological Survey, and the Director of the National Park Service.

The suit charges that the federal government violated the National Environmental Policy Act, the National Historic Preservation Act, the Historic and Archeological Data Preservation Act, Executive Order 11593 and the federal government's trust responsibility to protect Indian land and resources.

The coal stripmine lease is between the Navajo Tribe and the Consolidation Coal Company and El Paso Natural Gas Company (CONPASO) and has been approved by the Secretary of the Interior. The CONPASO leasehold covers 40,287 acres located on the eastern portion of the Navajo Reservation and contains approximately 678 million tons of stripable coal.

In addition, the suit alleges that the final environment impact statements, prepared by BuRec and the Bureau of Indian Affairs (BIA), do not contain adequate discussions of land reclamation or possible alternatives to stripmining. Also, the suit charges that the government did not conduct sufficient paleontological and archeological surveys of the lease area.

The lease area is part of the Fruitland coal formation which is one of the largest in the western United States. In 1959, El Paso began to explore for coal in the Burnham area on 85,760 acres. In 1968, El Paso and Consolidation acquired a lease from the Navajo Tribe to stripmine 40,287 acres. In 1973, CONPASO had to renegotiate the terms of the lease in part because they were unable to obtain timely federal approvals to mine coal for gasification.

The renegotiated lease was approved by the Navajo Tribal Council in 1976 but it was rejected by the Interior Secretary because of the inadequate royalty provisions. The lease was later approved after CONPASO raised the royalty rate but it is still only one-eighth of the current market price of coal.

Since 1973, the Burnham people have passed several resolutions opposing CONPASO's proposed stripmining project. They testified at hearings and staged demonstrations at the tribal headquarters in Window Rock, Arizona. That demonstration resulted in 18 local Navajo people being arrested but later acquitted on charges of unlawful assembly. They have since filed a civil suit seeking damages for illegal arrests and the use of excessive force by the tribal police.

The proposed coal stripmine will force the relocation of more than 200 Navajo people who make their living by raising livestock and dry farming. The prospect of losing their ancestral lands and adopting a completely alien way of life will have a traumatic effect on the people.

A recent study conducted by the National Academy of Sciences stated that projects similar to the proposed CONPASO mine may permanently destroy the productivity of the land. The report concluded that stripmined areas receiving less than 10 inches of rainfall each year would constitute a "National Sacrifice Area" because of the impossibility of reclamation. Annual rainfall on the leasehold is less than seven inches.

Another tangible part of the Navajo lifestyle that will be destroyed are the many native plants and herbs that are used in healing ceremonies, an integral part of the native religion. There are also burial sites of many family members and land areas of special religious significance. In addition, the leasehold contains important archeological resources which could provide invaluable information concerning early Navajo and pre-pueblo cultures. It is also one of the richest fossil-bearing sites in the world.

Many Navajo People, relocated as a result of similar energy development activities, have been forced to move into nearby cities. This has forced an abandonment of a traditional lifestyle built on Navajo culture.

The plaintiffs are unequivocally opposed to this stripmining project because they believe that by devastating their land, it will also devastate their culture. In addition to destroying a people's culture, the taxpayer and consumer will be asked to subsidize this destruction.



### LAND RECLAMATION

The Environmental Impact Statements' (EIS) discussion of land reclamation is far too vague. The Navajo People expect the land to support their sheep herds following reclamation. The CONPASO says that they will return the land to its natural condition, but it is not at all clear that they have the technology to do so.

This land is where more than 200 Navajo People live. They use the land for dry farming and raising livestock. There are more than 4,000 sheep on the leasehold. This is the main source of income and major staple of the Navajo's diet.

Reclamation of arid lands in the western United States have been unsuccessful, especially in the San Juan Basin area, and the probability of any success is questionable. Utah International has not been able to demonstrate that successful reclamation can be achieved. Their mine is located northwest of Burnham.

Climatic conditions will be an important factor in the success or failure of reclamation in the Burnham area. The annual precipitation in the San Juan Basin averages about seven inches, most of that comes from summer thunderstorms. Thunderstorms cause flash floods and result in uncontrolled erosion that can disrupt any reclamation efforts. Winter precipitation is very minimal. Snow melts within a few hours and the evaporation rate is equal to or much greater than the precipitation. Winds have been recorded at velocities of 70 miles per hour during the month of April to November. As every development increases in this area the winds will become laden with particulate matter thereby hampering the proposed resurfacing, reconditioning and seeding procedures. In addition to these climatic factors, reclamation efforts must compensate for the desert's fragile biological balance. The desert does not support a large amount of vegetation or animal life. Mining activities will destroy the flora and fauna of the area and may impact the habitats of animals that are listed as endangered species. The leasehold is open grassland with perennial grasses such as alkali, Indian rice grass, sand dropseed and galleta grass. The most common shrub is shadscale.

The amount of vegetation is related to the amount of animal life that land can support. The largest mammal group is the rodent but the white tail prairie dog, coyote, badger, blacktail jackrabbits and desert cottontail rabbits constitute a larger percentage of the population. The bird population is the raven, sparrow, hawks, and the horned lark. The U.S. Fish and Wildlife Service and the New Mexico Game and Fish Department designated the black-footed ferret, the southern bald eagle and the American peregrine falcon as endangered species of this area.

According to reclamation experts, water has been determined to be the single most critical factor for judging the reclamation potential in the Burnham area. Where will this water come from? It will not come from the San Juan River. The San Juan is already overallocated because of agricultural, industrial, and municipal uses. Groundwater is the only alternative.

Groundwater quality and availability were tested near Burnham in August, 1973. A well test was conducted with an oil drilling rig and it went to a depth of 5,250 feet before desired quality and quantity was achieved. It was estimated that this test well cost \$196,250 at a minimum. Plans indicate that six wells will be needed during the operation and based on

minimum cost estimates for these larger casement wells the expense could run as high as \$12 million for the six wells.

Depletion of groundwater raises other unanswered questions. What will be the effect of CONPASO's wells on the surface flow of the San Juan River? A substantial segment of professional opinion holds that there is a hydrologic connection between the groundwater in the Burnham area and the San Juan River. According to the Navajo Environmental Protection Commission there is serious concern that the water contained in the Morrison formation has substantial amounts of radioactive materials. Yet it is this water that will be used in CONPASO's reclamation plans to restore the vegetation.

Another environmental problem involves surface run-off from the exposed mine area. The run-off will contain large amounts of acid, radium, and salium. Utah International's mining site, located directly northwest of CONPASO's leasehold, should be instructive on this issue.

In addition, dust from overburden stockpiles and soil erosion caused by flash floods will add to the sediment load in the Chaco River. The Chaco is a tributary of the San Juan River.

There are a variety of laws, beginning with the Antiquities Law of 1906, designed to insure the preservation of historic and archeological resources. These laws are of special interest to Indian People because they protect a significant part of Indian history. Unless these laws are fully enforced by the responsible agencies, Indian People will lose forever the opportunity to understand more fully the historical development and cultural heritage of their ancestors.

Archeologists recognize archeological remains as a limited, fragile and nonrenewable part of the environment. Archeological resources include occupation sites, work areas, evidence of farming or hunting and gathering, burials and other funerary remains, artifacts, and structures of all types.

Much of the Four Corners area was occupied during 900 to 1300 A.D. by a pre-pueblo Indian culture. These Indians are the ancestors of the present day Pueblo Indians. Members of this early culture occupied such areas as Chaco Canyon, Aztec Ruins, Salmon Ruins, and Mesa Verde.



### Four Corners Stripmining plans---

Ninety-five million years ago the Four Corners area was covered by a large sea. Surrounding this sea were swamp areas where tall fernlike trees and plants grew and many prehistoric animals lived. Eventually the climate began to change resulting in the extinction of the plant life and animals.

There are only three other places in the world that have a geological formation as rich as that found in northwestern New Mexico -- a stretch across the Wyoming-Montana border, Alberta, Canada, and Mongolia. Despite the abundance of paleontological resources on the Burnham-Bisti lease site there is no adequate discussion of these matters in the Environmental Impact Statement.

Indian people have occupied northwestern New Mexico for more than 12,000 years and yet there is very little evidence that there has been a complete inventory survey of the archeological remains contained within the CONPASO leasehold.

CONTINUED NEXT PAGE.....



# The Mad Hatter's Tea Party

## THE OMINOUSLY SURREAL TRIAL OF SKYHORSE & MOHAWK

"Ladies and gentlemen of the jury, eight months and approximately 50 witnesses ago, you heard opening statements by Mr. Samonsky for the prosecution, and also my brother, Paul Skyhorse." With these words, Richard Mohawk opened the case for the defense on February 14, 1978.

Prior to the presentation of the defense case, there was a considerable amount of time spent arguing the admissibility of Marcy Eagle Staff's testimony. Eagle Staff was a witness to the events surrounding cabdriver George Aird's death. She had testified for the prosecution, but refused to be cross-examined. She is presently in jail on contempt of court charges as a result of her refusal to testify.

The defense asked that her testimony be stricken since there had been no opportunity to cross-examine her. The prosecution argued that the defense was responsible for her refusal to complete her testimony and for that reason her testimony should remain. The supposed evidence of a connection between the defense and Marcy Eagle Staff's refusal to testify further was that Marcy's husband, James Vaughn, had called defense attorney Leonard Weinglass from Sacramento to find out if Marcy was testifying. In that call, Weinglass told Vaughn that he could not talk to him. (Both Vaughn and Weinglass have testified to this.) Weinglass told Eagle Staff's attorney that the defense wanted her to complete her testimony.

Prosecuting attorney Samonsky argued that when Vaughn called Weinglass, "what I propose the Court can logically conclude, is that he found out that Marcella Eagle Staff very much hurts the defense case." Samonsky continued with his argument, based on his assumption that "I think it is the defense who has been influencing Mr. Vaughn to influence Marcella Eagle Staff."

Judge Dodson denied the motion to strike her testimony. His ruling was that there is a connection between the defense and the failure of Marcy to continue her testimony. He stated that her failure to testify is within the direct control of the defendants, and that if the defense "truly wanted her to return to do so, she would do so."

Dodson said he'd observed the "two defendants act as 'generals' of their own defense, passing notes to and from spectators in the audience," and that they were involved in all decisions of co-counsel. He also noted that the spectators "stare" at the witnesses and at himself. He went on to state that "Marcy Eagle Staff can return to court and will do so when word gets out from the 'generals' to the communications network that they have set up. Dodson ended his ruling by quoting from Lewis Carroll's *Alice in Wonderland*, and said that explained why Marcy Eagle Staff was not testifying.



Shortly thereafter, however, Samonsky stipulated that it was unnecessary for the defense to produce witnesses to prove that there had been no defense attempt to urge Eagle Staff to cease testimony. It was an interesting stipulation following Judge Dodson's ruling that the defense had influenced the witness.

An interesting fact about this case is that every Indian who has testified in the trial has been in jail at one time or another, either as suspects, material witnesses, or for contempt of court.

The prosecution's case seems to be that the reason that none of the witnesses have testified as the prosecution had expected was that the defense has influenced each and every witness. From his actions in court, it is clear that Judge Dodson has accepted the theory that all Indians and all Indian supporters are engaged in some kind of gigantic conspiracy to thwart justice.

Ramona Bland, 27, a resident of Ventura, testified that she had been a cell-mate of Marcy Eagle Staff for 3 months in late '74 and early '75. She said she and Marcy became friends and Marcy confided in her in several talks they had about the murder.

Marcy told her that she, Holly Broussard and Marvin Redshirt had been to David Carridine's house, had been drinking heavily, and had taken a cab back to the camp. En route to the camp, there was an argument about cab fare, things got out of hand, and Redshirt hit the driver several times. Marcy told her that Aird was in no condition to drive after that, so Redshirt drove the cab back to the camp. Arriving at the camp, the fight continued with all three spitting on him, kicking him, and Redshirt stabbing Aird several times. Bland testified that Marcy told her they had "tortured him." Marcy also told her he was a "nigger-lover," that she disapproved because he was white and his wife was Black. She said Holly Broussard was present during some of her (Bland's) talks with Eagle Staff, and that the two women laughed and joked about that night.

During the discussions of that night, she never said Skyhorse and Mohawk had been at the scene of the beating and murder, or that they had participated in any way. She said they had been "somewhere" in the camp. Later, she told Bland that she was going to testify that Skyhorse and Mohawk killed Aird. When asked why, she said she "had to do it," that the D.A. wanted to make a deal with her — a plea bargain. She told Bland she would say it in order to get out, but that she would then leave and would not be around to testify against them.

The defense rested Wednesday, March 1, after just 9 days of testimony and 12 witnesses. There were to be 12 more witnesses called, primarily FBI agents, but they were not made to testify after Judge Dodson, at the request of the federal government and the prosecutor, quashed their subpoenas.

Defense attorney Jack Schwartz angrily commented, "The judge, working in conjunction with the D.A. and the U.S. Department of Justice, has succeeded in preventing the defense from putting on more than half its case. The judge ruled 'irrelevant' the question of the political motivation behind a bad faith prosecution."

The remaining twelve witnesses were to include ten FBI agents, including the two identified by "Blue Dove" as the agents she reported to on the activities of Paul Skyhorse and Richard Mohawk. (Blue Dove is the informant who infiltrated AIM, becoming treasurer of Los Angeles AIM, a member of the Human Rights Commission, and AIM representative to the American Friends Service Committee. She was recruited by the FBI to gather information on political groups.)

Virginia de Luce Wilson (Blue Dove) testified on Tuesday, February 28. After first stating that her occupation in October 1974 was "actress, singer, dancer, writer, artist," she admitted she was a paid informant for the FBI from 1973 — 1976, and reported on the activities of the defendants. She said she was paid in cash for the information on Indian activities and she reported to agents Gilbert Cordova and Marty Gonzales, but she doesn't recall now what it was she reported to them. She admitted that, as treasurer of the LA chapter of AIM, she paid the rent on the camp known as AIM Camp 13.

Cruz Reyna, an investigator for the Ventura County D.A. also testified on February 27, although not before the jury. He admitted that shortly after he was assigned to the murder case, he received information that Holly Broussard and Marcy Eagle Staff were making statements to other inmates confessing their involvement in the murder. Reyna testified that he did not look into it any further, saying it wasn't his duty to do so. He never questioned any inmates who were housed with Eagle Staff, claiming his duty at the time was to be certain witnesses were around to testify before the Grand Jury. Reyna admitted in court that "it should have been acted on immediately," and that that kind of information is "very important."

The case is expected to go before the jury in late March, after AKWESASNE NOTES goes to press. It has been one of the longest, most controversial and most expensive criminal prosecutions in American court history, the kind of case which usually produces books and movies after the fact. It has been a long ordeal — one which hasn't ended yet.

## Four Corners Stripmining Continued.....

Although much more research needs to be completed, it is known that these early Indians employed sophisticated agricultural systems, and developed extensive commerce and transportation routes with other Indian People in the Southwest and possibly Mexico.

In the 14th and 15th centuries Navajo hunters and gatherers migrated into the area. They later adopted a livestock and farming way of life. The descendants of these early Navajo Peoples still occupy this area and are continuing the traditional way of life of farming and raising livestock.

Unless there is a complete inventory of the entire area before the mining operations begin, preservation of the Indian People's historic and cultural resources will be lost forever.

Members of an archeological team from the University of New Mexico who conducted a complete inventory of Utah International's leasehold stated, "a strong commitment (is needed) to the conservation of the history of our Nation and to the history of those nameless individuals who peopled the North American continent before the European invasions."



Inadequate discussion of historic and archeological resources indicates that CONPASO and the federal government may well continue to ignore applicable preservation laws. It also reflects a callous disregard for the history of Indian People who have existed in the area for hundreds of years.

A 1974 preliminary study on the paleontological resources on the Navajo Reservation revealed that the fossil inventory in the geological bed of the Fruitland formation was extensive. Plant life included fossil wood, leaf impressions, freshwater mollusks (11 species) and numerous microvertebrates and macrovertebrates, nine species of turtles and several dinosaurs.

In June 1977, a significant find of a Pentaceratops, a five-horned dinosaur, that lived about 90 million years ago, was excavated in CONPASO's leasehold. It was noted then that the Burnham-Bisti area is rich with prehistoric animal remains.

A survey is currently being conducted by Dr. Rigby of the Bureau of Land Management (BLM) on an area just outside the reservation boundaries. Similar survey work should have been done within the reservation on the CONPASO leasehold in advance of lease approval. The EIS merely contains a vague mention of mitigative measures that may be taken during the mining process. There appears to be a double standard with respect to paleontological surveys on Indian and non-Indian land. This double standard treatment of Indian-owned lands is but another example of an apparent government and corporate policy which views Indian resources as expendable and entitled to less protection than non-Indian lands although covered by the same laws.

The Antiquities Act of 1906 (34 Stat. 225) establishes protection for archeological sites by requiring permits for the examination of archeological remains, and authorizes the Secretaries of the Interior, Agriculture, and Army to make and publish uniform rules and regulations to carry out this responsibility. The Historic Sites Act of 1935 (49 Stat. 666) declares it public policy to preserve archeological remains of national significance for the inspiration and benefit of the people of the United States. Furthermore, it directs the Secretary of the Interior to carry out investigations and research regarding archeological sites.



# BOOK REVIEW :: THE OLD WAYS

by GARY SNYDER

*THE OLD WAYS* by Gary Snyder consists of six essays, five of them based on talks given by the author in recent years. Three of the essays, "They Yogan and the Philosopher," "North Beach," and "The Dharma Eye of D.A. Levey," are of a rather special and limited interest, and a fourth, "The Incredible Survival of Coyote," contains some trenchant quotes from Peter Blue Cloud.

The other two essays caught our interest because they speak to the concerns we have been voicing in the pages of *AKWESASNE NOTES*. They make the book a powerful statement of the concern for survival and quality of life which are shared by natural peoples on our Turtle Island. We are reprinting here, with the permission of the author and the publisher, a few excerpts from these two chapters in the hope that some readers will then wish to look further into the ideas presented in this work. It is available from City Lights Books, 261 Columbus Ave., San Francisco, California 94133, for \$2.50.

## THE POLITICS OF ETHNOPOETICS

This "politics" is fundamentally the question of what occidental and industrial technological civilization is doing to the earth. The earth (I'm just going to remind us of a few facts,) is 57 million square miles, 3.7 billion human beings, evolved over the last 4 million years; plus, 2 million species of insects, 1 million species of plants, 20 thousand species of fish, and 8,700 species of birds, constructed out of 97 naturally occurring surface elements with the power of the annual solar income of the sun. That is a lot of diversity.

...Now I would like to think of the possibility of a new humanities. Humanities, remember, being a post-Renaissance way of looking at the question of how to shake man loose from the theological vision of the Middle Ages. But I can't think about our situation in anything less than a forty thousand year time scale. Fifty thousand years is not very long. If we wanted to talk about hominid evolution we'd have to work with something like four million years. Forty thousand years is a useful working time scale because we can be sure that through the whole of that period man has been in the same body and in the same mind that he is now. All the evidence we have indicates that imagination, intuition, intellect, wit, decision, speed, skill, was fully developed forty thousand years ago. In fact, it may be that we were a little smarter forty thousand years ago since brain size has somewhat declined on the average from that high point of Cro-Magnon.

It is interesting that even the average size of the Neanderthal skull, (whom most people have a rather unflattering image of,) indicates larger brain size than modern man. We don't know why brain size has declined. It probably has something to do with "society", if you want to blame it on something. Society providing buffers and protection of an increasingly complicated order so that as it became larger in scope, and populations larger in size, it protected individuals from those demands for speed, skill, knowledge, and intelligence that were common in the Upper Paleolithic. The personal direct contact with the natural world required of hunters and gatherers — men and women both — a tremendous continual awareness.

What we are witnessing in the world today is an unparalleled waterfall of destruction of a diversity of human cultures; plant species; animal species; of the richness of the biosphere and the millions of years of organic evolution that have gone into it. In a sense ethnopoetics is like some field of zoology which is studying disappearing species. We must have a concern with this because our subject matter is rapidly disappearing and we, (and I mean "we" to mean everyone, regardless of his color or ethnic background, who is now plugged into the fossil fuel industrial society, we are all that "we") we are the ones who are in some inexorable, karmic, historical way keeping it going down.

...Four thousand different languages and cultures about the year 1900, also being swept away in the inexorable push towards monoculture. Monoculture has had two specific kinds of fueling in the last six thousand years. In that fifty thousand year time scale, (owe a great deal to Dr. Stanley Diamond [viz. *IN SEARCH OF THE PRIMITIVE* — ed.] for my sense of this,) the major part of man's interesting career has been spent as a hunter and gatherer, in "primary" cultures. As recently as 12,000 years ago, agriculture began to play a small part in some corners of the world. It's only in the last three millennia that agriculture has really penetrated widely.

Civilization, 8,000 years old; class structure, surplus wealth accumulation, literate societies which on balance in that total represent a very small part of human experience; literacy representing an even tinier part of human experience, since it's only been in the last two centuries that any sizable proportion of any civilized country has had much literacy. Thus oral literature, the ballad, the folktale, myth, the songs, the subject matter of "ethnopoetics," has been the major literary experience of mankind. Understanding that, it becomes all the more poignant when we realize that the richness is being swept away...



To combat cultural genocide one needs a critique of civilization itself, and some thought about what happens when "crossing barriers" takes place; when different, small, relatively self-sufficient cultures begin to contact each other and that interaction becomes stepped up by a historical process of growing populations, growing accumulation of surplus wealth, and so forth. It's probably true that there's a certain basic cross-cultural distrust in small societies that is resolvable through trade, exchange, or periodic gambling games, festivities, and singing together. The sheer fact of distance alone, physical distance between two groups, between two households, makes one group think of those other people as "the others."

The real arms race starts maybe with bronze weapons and certainly with iron. Raiding cultures emerge; that is the first turbulent kind of interface. Some people quit farming and hunting, and take up raiding for a living. This goes on today, in what Ray Dasman calls the relationship between ecosystem cultures and biosphere cultures. Ecosystem cultures being those whose economic base of support is a natural region, a watershed, a plant zone, a natural territory within which they have to make their whole living. Living within the terms of an ecosystem, out of self-interest, if nothing else, you are careful. You don't destroy the soils, you don't kill all the game, you don't log it off and let the water wash the soil away.

Biosphere cultures are the cultures that begin with early civilization and the centralized state; are cultures that spread their economic support system out far enough that they can afford to wreck one ecosystem, and keep moving on. Well, that's Rome, that's Babylon. It's just a big enough spread that you can begin to be irresponsible about certain specific local territories. It leads us to imperialist civilization with capitalism and institutionalized economic growth. The first energy hit, to go back again to those two fuelings of monoculture, was slavery. The energy we operate by fundamentally is the annual solar income, via agrarian or natural hunting and gathering modes of receiving it plus your labor — man for man, woman for woman, labor. Slavery becomes the first energy hit to speed things up a bit.

The next big energy hit is fossil fuels. Fossil fuels from the 1880s, responsible for the explosion of all growth curves and consumption curves we see in the world today. Impelled by and running parallel with a pre-established ideology of economic growth, but the two much re-enforcing each other.

Within that context, we have a number of intellectual human beings, especially of the occidental world that, parallel with the world-wide spread of occidental

trading habits, became students of other peoples and, (without involving ourselves at this point much into the argument of whether or not anthropology is always imperialism,) we can't help but see it as a politically related factor. The very fact of anthropological curiosity is a function of being a member of an expanding civilization. The opposite of that, or the contrast to that, is to be in a cultural situation where you will not have any particular interest in what other peoples' cultural habits are, but simply, hopefully, respect them...

One of the criteria that can be brought to bear against the destructive aspect of industrial civilization is ecological. It has to do simply with this question of the reduction of diversity. I noticed some comments earlier in this conference by some people that seem to at least imply to me that they were in favor of, and assumed that, a kind of one-world assimilation of languages and cultures or, you know, some kind of internationalization, was a desirable process. The ecological critique goes like this, (I quote from Roy Rappaport, "Flow of Energy in an Agricultural Society":)

"It may not be improper to characterize as ecological imperialism the elaboration of a world organization that is centered in industrial society and degrades the ecosystems of the agrarian societies it absorbs. The increasing scope of world organization and the increasing industrialization and energy consumption on which it depends have been taken by western man to virtually define social evolution and progress. What we have called progress or social evolution may be maladaptive. We may ask if the chances for human survival might not be enhanced by reversing the modern trend of successions in order to increase the diversity and stability of local, national, and regional ecosystems even, if need be, at the expense of the complexity and interdependence of international world-wide organizations. It seems to me that the trend toward decreasing ecosystem complexity and stability, rather than threats of pollution, overpopulation, or even energy famine, is the ultimate ecological problem confronting man. Also, the most difficult to solve, since the solution cannot be reconciled with the values, goals, interests, political and economic institutions prevailing in industrialized and industrializing societies."

Now, in Dr. Eugene Odum's terms, what we call civilization is an early succession phase; immature monoculture system. What we call the primitive is a mature system with deep capacities for stability and protection built into it. In fact, it seems to be able to protect itself against anything except white sugar and the money economy trading relationship; and alcohol, kerosene, nails, and matches. (It was John Stuart Mill who said, "No labor-saving invention ever really saved anybody any labor.")

...I was impressed by Levi-Strauss' opinion that everything has gone somewhat downhill in western culture since the neolithic. He also argues that writing systems have served largely through history to enslave men rather than to serve any useful religious, spiritual or esthetic purpose, since the original use of writing was to write down lists of slaves and to keep an account of what you had in your warehouse, and only much later became used in these other ways. However, the economic anthropologist Marshall Sahlins has changed my mind because he says the paleolithic is where it's at. As mentioned earlier, ecological criteria are moving in this direction also. According to Sahlins' research, *STONE AGE ECONOMICS*, the upper paleolithic was the original affluent society, and he estimates that they worked an average of 15 hours a week. Sahlins says, "If you are willing to grant that paleolithic hunters were in business for their health, then the bow and arrow served their needs."

"In those societies, nobody had very much but there were no poor people. There is no class of landless paupers in primitive culture. Landless paupers belong to civilization." This is also interesting — the average intake of proteins, carbohydrates and all nutrients per day is higher for a primitive person and probably for an archaic person than it was for the vast populations of serfs and peasants under the high civilized regimes.





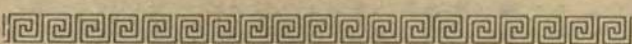
Our own mythology — mostly accepted on faith — is the scientific view of the universe. There is an interesting convergence that I want to develop a little bit now, which is delightful. It's the Gaia Hypothesis. The earth-goddess again. Two scientists, James Lovelock and Sidney Epton, in England, have done a paper called "The Quest for Gaia." Gaia, in Greek mythology, is the original earth-goddess sprung from Chaos...

The Gaia hypothesis is a biochemists' hypothesis, that the whole of the biosphere is one living organism which has strategically programmed its evolution for 3 billion years, including producing us. (Which may have been its one mistake.) One of the most interesting evidences of this kind of work is the releasing of oxygen into the atmosphere by oceanic micro-organisms, creating first an oxygen environment, but then also by a breakdown of certain oxygen molecules creating the ozone shield screening ultra-violet rays, permitting cells to move out onto the land. As cells get out onto the land, more oxygen, more ozone shield is created, thus increasing the possibility of the spread of life.

"Thus green plants not only get the benefit of carbon dioxide but also are warmed by the radiant flux returned to the ground by the atmosphere... This grand scale synergy of green plants in the atmosphere is the result of millions of years of evolution of life and of the atmosphere which are therefore closely interdependent." The atmosphere is the creation of life for its own uses...

Now looking at our poetry of North America — Turtle Island — in the light of the past, of other traditions, and this old new sense of the Earth, it seems to me that we are just beginning. It wasn't until the 3rd century A.D. in China that landscape poetry began to emerge, poetry which developed over a number of centuries and ultimately amplified, informed, explored the seasons, the rivers, the waterfalls, the mountains, creating a lore of reference and allusion to plants, each in thier season, and the qualities of those seasons, in relation to human affairs.

We're just starting, in the last ten years here, to begin to make songs that will speak for plants, mountains, animals and children. When you see your first deer of the day you sing your salute to the deer, or your first red-wind blackbird — I saw one this morning! Such poetries will be created by us as we reinhabit this land with people who know they belong to it; for whom "primitive" is not a word that means past, but primary, and future. They will be created as we learn to see, region, how we live specifically (plant life!) in each place. The poems will leap out past the automobiles and TV sets of today into the vastness of the Milky Way (visible now only when the electricity is turned down.) to richen and humanize the scientific cosmologies. These poesies to come will help us learn to be people of knowledge in this universe in community with the other people — non-human included — brothers and sisters.



## RE-INHABITATION

...There are many people on the planet, now, who are not "inhabitants." Far from their home villages; removed from ancestral territories; moved into town from the farm; went to pan gold in California — work on the pipeline — work for Bechtel in Iran. Actual inhabitants — peasants, paisanos, paysan, peoples of the land, have been sniffed at, laughed at, and overtaxed for centuries by the urban-based ruling elites. The intellectuals haven't the least notion of what kind of sophisticated attentive creative intelligence it takes to "grow food." Virtually all the plants in the gardens and the trees in the orchards, the sheep, cows and goats in the pastures were domesticated in the Neolithic; before "civilization." The differing regions of the world have long had — each — their own precise subsistence pattern developed over millenia by people who had settled there and learned what particular kinds of plants the ground would "say" at that spot.

Humankind also clearly wanders. Four million years ago, those smaller proto-humans were moving in and out of the edges of forest and grassland in Africa; fairly warm, open enough to run in. At some point moving on, catching fire, sewing clothes, swinging around the arctic, setting out on amazing sea voyages. A skill found in Santa Barbara has been dated at



50,000 years. So it may be that during the middle and late Pleistocene, large fauna hunting area, a fairly nomadic grassland — and — tundra hunting life was established, with lots of mobility across northern Eurasia in particular. With the decline of the ice age — and here's where we are, most of the big game hunters went out of business. There was possibly a population drop in Eurasia and the Americas, as the old techniques no longer worked.

Countless local ecosystem habitation styles emerged. People developed specific ways to be in each of those niches: plant knowledge, boats, dogs, traps, nets, fishing — the smaller animals and smaller tools. From steep jungle slopes of Southwest China to coral atolls to barren arctic desserts — *a spirit of what it was to be there evolved*, that spoke of a direct sense of relation to the "land" — which really means, the totality of the local bio-region system, from cirrus clouds to leaf-mold.

So, inhibitory peoples sometimes say, "this piece of land is sacred," — or, "all the land is sacred." This is an attitude that draws on awareness of the mystery of life and death; of taking life to live; of giving life back — not only to your own children, but to the life of the whole land.

...Inhabitation does not mean "not travelling." The term does not of itself define the size of a territory. The size is determined by the bio-region type. The bison hunters of the Great Plains are as surely in a "territory" as the Indians of northern California, though the latter may have seldom ventured farther than 30 miles from where they were born. Whether a vast grassland, or a brushy mountain, the Peoples knew their geography. Any member of a hunting society could project from his visualization any spot in the surrounding landscape, and tell you what was there, how to get there. "That's where you'd get some cattails." The bushmen of the Kalahari desert could locate a buried ostrich egg for emergency water in the midst of a sandy waste — walk right up and dig it out. "I put this here three years ago, just in case."

Ray Dasmann has useful terms to make these distinctions: "ecosystem-based cultures" and "biosphere cultures." By that Ray means societies whose life and economies are centered in terms of natural regions and watersheds, as against those who discovered — seven or eight thousand years ago on a few corners of the globe — that it was "profitable" to spill over into another drainage, another watershed, another peoples' territory, and steal away its resources, natural or human. Thus the Roman Empire would strip whole provinces for the benefit of the capital, and villa-owning Roman aristocrats would have huge slave-operated farms in the south using giant wheeled plows. Southern Italy never recovered. We know the term "imperialism" — Dasmann's "biosphere cultures" adds to that, helps us realize that biological exploitation is a critical part of it too — the species made extinct. The clear-cut forests.

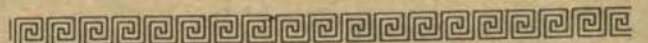
All that wealth and power pouring into a few centers had bizarre results. Philosophies and religions based on fascination with society, hierarchy, manipulation, and the "absolute." A great edifice called "the state" and the symbols of central power — in China what they used to call "the true dragon"; in the West, as Mumford says, symbolized perhaps by that bronze age fort called the Pentagon. No wonder Levi-Strauss says that civilization has been in a long decline since the Neolithic.

So here in the Twentieth Century we find occidentals and orientals studying each other's wisdom, and a few people on both sides studying what came before both — before they forked off. A book like **BLACK ELK SPEAKS**, which would probably have had zero readership in 1900, is perceived now as speaking of certain things that nothing in the Judeo-Christian tradition, and almost nothing in the Hindu-Buddhist tradition, deals with. All the great civilized world religions remain primarily human centered. That next step is excluded, or forgotten — "well, what do you say to Maggie? What do you say to Rattlesnake when you meet him?" What do we learn from Wren, and Hummingbird, and Pine Pollen, and how. Learn what? Specifics: how to spend a life facing the current; or what it is to perpetually die young; or how to be huge and calm and eat *anything* (Bear). But also, that we are many selves looking at each other, through the same eye.



The reason many of us want to make this step is simple, and is explained in terms of the 40,000 year looping back that we seem to be involved in. Sometime in the last ten years the best brains of the Occident discovered to their amazement that we live in an Environment. This discovery has been forced on us by the realization that we are approaching the limits of something. Stewart Brand said that the photograph of the earth (taken from outer space by a satellite) that shows the whole blue orb with spirals and shoris of cloud was a great landmark for human consciousness. We see that it has a shape, and it has limits. We are back again, now, in the position of our Mesolithic forebears — working off the coasts of southern Britain, or the shores of Lake Chad, or the swamps of southeast China, learning how to live by the sun and the green at that spot. We once more know that we live in a system that is enclosed in a certain way; that has its own kinds of limits, and that we are interdependent with it.

The ethics or morality of this is far more subtle than merely being nice to squirrels. The biological-ecological sciences have been laying out (implicitly) a spiritual dimension. We must find our way to seeing the mineral cycles, the water cycles, air cycles, nutrient cycles, as sacramental — and we must incorporate that insight into our own personal spiritual quest and integrate it with all the wisdom teachings we have received from the nearer past. The expression of it is simple; gratitude to it all, taking responsibility for your own acts; keeping contact with the sources of the energy that flow into your own life (i.e. dirt, water, flesh).



## ...SUMMING UP

In Wendell Berry's essay "The Unsettling of America," he points out that the way the economic system works now, you're penalized if you try to stay in one spot and do anything well. It's not just that the integrity of Native American land is threatened, or National Forests and Parks; it's *all* land that's under the gun, and any person or group of people who tries to stay there and do some one thing well, long enough, to be able to say, "I really love and know this place," stands to be penalized. The economics of it works so that anyone who jumps at the chance for quick profit is rewarded — doing proper agriculture means *not* to jump at the most profitable chance — proper forest management or game management means doing things with the far future in mind — and the future is unable to pay us for it right now. Doing things right means living as though your grandchildren would also be alive, in this land, carrying on the work we're doing right now, with deepening delight.

I saw old farmers in Kentucky last spring who belong in another century. They are inhabitants; they see the world they know crumbling and evaporating before them in the face of a different logic that declares, "Everything you know, and do, and the way you do it, means nothing to us." How much more the pain, and loss of elegant cultural skills, on the part of non-white fourth-world primitive remnant cultures — who may know the special properties of a certain plant, or how to communicate with Dolphins, skills the industrial world might never regain. Not that special, intriguing knowledges are the real point: it's the sense of the magic system: the capacity to hear the song of Gaia *at that spot*, that's lost.

Re-inhabitory refers to the tiny number of persons who come out of the industrial societies (having collected or squandered the fruits of 8,000 years of civilization) and then start to turn back to the land, to place. This come for some with the rational and scientific realization of inter-connectedness, and planetary limits. But the actual demands of a life committed to a place, and living somewhat by the sunshine green plant energy that is concentrating in that spot, are so physically and intellectually intense, that it a moral and spiritual choice as well.

"Mankind has a rendezvous with destiny in Outer Space," some say. We are already travelling in space. This is the galaxy, right here. The wisdom and skill of those who studied the universe first hand, by direct knowledge and experience, for millenia, both inside and outside themselves, is what we might call the Old Ways. Those who envision a possible future planet on which we continue that study, and where we live by the Green and the Sun, have no choice but to bring whatever science, imagination, strength, and political finesse they have to the support of the inhibitory people — natives and peasants of the world. Entering such paths, we begin to learn a little of the Old Ways, which are outside of history, and forever new.





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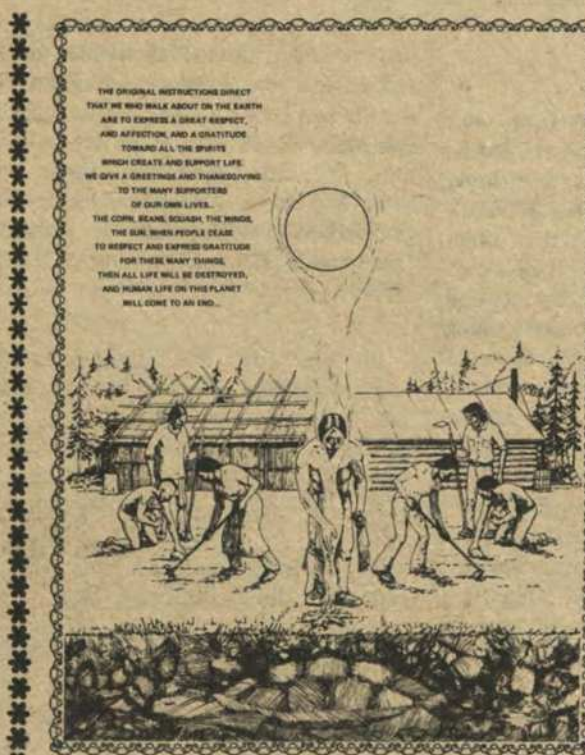
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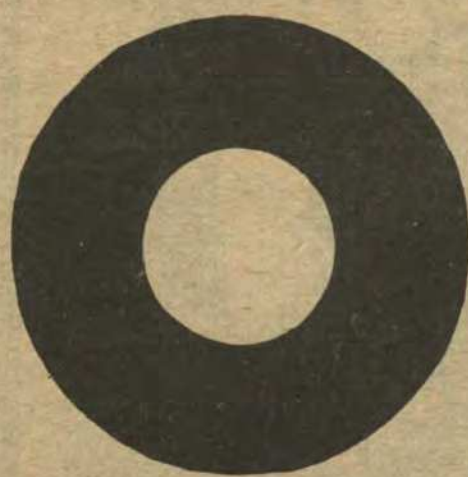
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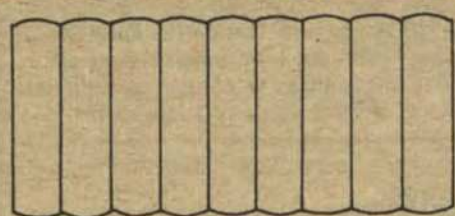
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**SISSETON-WAHPETON SONGS** - 6112. Twelve traditional Sioux songs including grass, rabbit, shake and round dances plus flag, contest and veterans' songs. The Sisseton-Wahpeton Sioux Singers: James Thompson, Charles Two Stars, Nathan Thompson, and Gerald Thompson.

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Four war dance songs and four round dances by the Wind River Singers, Felix Groesbeck, Duane Tillman, Clark Trumbull, Jr., Mervin Brown, Irma Groesbeck, Ambrosia Harris, Fort Washakie, Wyoming.

# BOOKSBOOKSBOOKSBOOKSBOOKSBOOKS



*After the Death of an Elder Klallam*, poetry by Duane Niatum. \$2.40.

*Alcatraz is Not An Island*, by People of All tribes. \$3.95

*American Indian Designs and Decoration*, by Appleton. \$4.50.

*American Indian Medicine* by Vogel. \$13.95 hardcover.

*American Indian Needlepoint Design*, by Epstein. \$1.50.

*Apologies to the Iroquois*, by Wilson. \$2.95.

*Authentic Indian Designs*, by Naylor. \$5.00.

*A bag of Bones*, stories and legends. \$3.50.

*Behind the Trail of Broken Treaties*, by Vine DeLoria, Jr.. \$3.45.

*Black Elk Speaks*, by Niehardt. \$1.95.

*Blackfoot Craftworker's Book*, a Good Medicine Book. \$3.50.

*Son of Old Man Hat*, \$2.75.

*Son of Raven/Son of Deer*, by Clutesi. \$2.95

*The Story Telling Stone*, by Feldman. \$.95.

*Sunchief*, biography. \$4.95.

*The Sundance People*, by Erdoes. \$1.95.

*Tales From the Igloo* by Metayer. \$3.95.

*Tales from the Longhouse*, by Children of British Columbia. \$1.95.

*Teachings of Nature*, Good Medicine Books. \$3.50.

*There Is My People Sleeping*, by Stump. \$2.95.

*To Serve the Devil*, America's racial history. \$2.95.

*Turkey Botherer, Iroquois Folktales*. \$3.95.

*The Vanishing White Man*, by Steiner. \$10.95 hardcover.

*Victims of Progress*, \$4.50.

*The Way*, by Steiner. \$2.45.

*When Clay Sings*, by Baylor. \$6.95 hardcover.

*The Whispering Winds*, poetry anthology. \$1.95.

*Craft Manual of Yukon Tlingit*, ss by White. \$5.95.

*Custer Died for Your Sins*, by DeLoria, Jr. \$1.75.

*Death and Rebirth of the Seneca*, by Wallace. \$3.95.

*Disinherited*, by Van Every. \$1.75.

*Earth Medicine - Earth Foods*, by Weiner. \$4.95.

*First Americans' Coloring Book*, \$1.95

*Full Color American Indian Designs for Needlepoint Rugs*, by Story. \$2.00.

*Games of the North American Indians*, by Culin. \$9.95.

*Great Upon the Mountain*, by Brown. \$6.95.

*Genocide in Paraguay*, by Arens. \$10.95 hardcover.

*Glooscap and His Magic*, stories. \$2.79.

*God is Red*, by DeLoria, Jr. \$3.95.

*Handbook of Federal Indian Law*, by Cohen. \$25.00 hardcover.

*Harpoon of the Hunter*, stories. \$2.95

*How Indians Used Wild Plants*, by Densmore. \$2.50.

*Indian Herbiology of North America*, by Hutchens. \$11.00 hardcover.

*Indian Sign Language*, by Thompkins. \$1.50.

*Indian Summer*, a Good Medicine Book. \$6.00.

*Indian Tales*, by D'Agulo. \$1.75.

*Indian Tipi, It's History. Construction, and Use*, by the Laubins. \$1.95.

*In Search of the Primitive*, by Boas. \$4.95.

*Introduction to the Handbook of American Indian Languages*, by Boas. \$2.45.

*Indians of the North Pacific Coast*, by McFeat. \$2.95.

*Invasion of America*, by Jennings. \$4.95.

*The Iroquois in the American Revolution*, by Graymount. \$5.75.

*The Iroquois Ceremonial of Midwinter*, by Tooker. \$9.50 hardcover.

*Law and the American Indian*, by Price. \$17.50 hardcover.

*Legends Told by the Old People*, Good Medicine Book. \$3.00.

*Literature of the American Indian*, \$6.95.

*Bury My Heart at Wounded Knee*, by Brown. \$2.50.





*Working With Wool*, by Bennett and Bighorse. \$4.95.

*Wounded Knee*, by Brown, \$1.50.

*Book of the Hopi*, by Waters, \$1.95.

*The Pueblo Potter*, \$3.00.  
*by Josephy*, \$2.95.



*STONE GIANTS & FLYING HEADS;  
Adventure Stories From The Iroquois.  
Told by Joseph Bruchac, Illustrated by  
Kahonhes & Clayton Brascoupe. \$3.95*

(Most of the material in this account was drawn from Lowell Parker's column which appeared in the ARIZONA REPUBLIC on January 19, 1978.)

TEKARIONIAKEN  
Mohawk Nation  
Akwasasne  
(St. Regis Reserve)



# LETTERS LETTERS LETTERS LETTER



## "VOICES FROM THE EARTH"

### NOTES:

Today was really special for me. I received your new 1978 calendar. Each year it is more beautiful than the last.

"Voices From the Earth" is a very good name for the travelling group. They do indeed need to remind so many that there are responsibilities to the earth.

This new calendar presents the native people as real contemporary human beings. Usually, the colorful heroes of the past are portrayed. I think that Native peoples need to be shown doing ordinary things to educate those of us who still see them as museum people.

You did mention suggestions for next year's calendar. I would suggest the Central Plains - home of the people of the Sacred Pipe, the Buffalo Calf Woman appearance, the Ghost Dance consequences, the mineral leases, water for irrigation, the Rosebud Reservation boundaries case and the Black Hills - held sacred for vision seeking, pipestone quarries, etc. At the present time, much attention focuses on this part of the country.

Every good wish for the best possible NOTES and calendar.

Sister Edith Matt  
Parmelee, S.D. 57566

## "FUN CITY"

### Notes:

Enclosed I am sending you a cartoon which I wrote to the (N.Y.) DAILY NEWS about. I wrote to W.H. James, President of the paper in protest of this type of cartoon. The mess "Fun City" is in isn't any Native problem, I know, so I had to send it on to you. It's not funny! If I get an answer - which I doubt - I'll let you know.

May you walk in beauty.

Martha Juttner  
55 N. Ocean Ave  
Islip, N.Y. 11751

## GENEVA

### Companeros,

I received my copy of AKWESASNE NOTES covering the Geneva convention and felt I needed to congratulate you. Every paragraph was enlightening. As a Mestizo, I can relate fully to the plight of our people, Chicano and Native American alike. Your coverage of the convention was excellent.

I had talked to Chief George Whitewater of the Kickapoo Nation about the convention since he attended, but reading NOTES was like being there. I have enjoyed reading NOTES for about a year and it has really lifted my soul. I hope you keep up the great work and if we can ever spare anything, I will send to you because I really believe in what you are doing.

David Riojus  
Eagle Pass, Texas

## THE GRAND COUNCIL OF THE HODENOSAUNEE THE SIX NATIONS IROQUOIS CONFEDERACY ONONDAGA NATION

"The Longest Walk"  
P.O. Box 409  
Davis, California 95616

### Brothers:

The Chiefs of the Houdenosaunee, the Six Nation Iroquois Confederacy send their greetings, thanksgiving, and support to the leaders of the Longest Walk.

The Clan Mothers of our nations send their greetings and support to the women leaders of the Longest Walk.

The Faithkeepers of our nations send their greetings and support to the spiritual leaders of the Longest Walk.

The women of our nations also send their greetings and support to the women of the Longest Walk.

The children of our nations who play about on Mother Earth and who are our future, send their greetings and support to the children of the Longest Walk.

Brothers, continue to hear us...

The Creator made us Indians purposely. He gave us everything that we need to live. No man and no country has the right or the power to take this away. We extend our hand to you with our compassion and understanding of your vision. We are greatly heartened by your spirit and courage in bringing to our people and the people of the world, a message of unity and purpose.

Brothers continue to hear us...

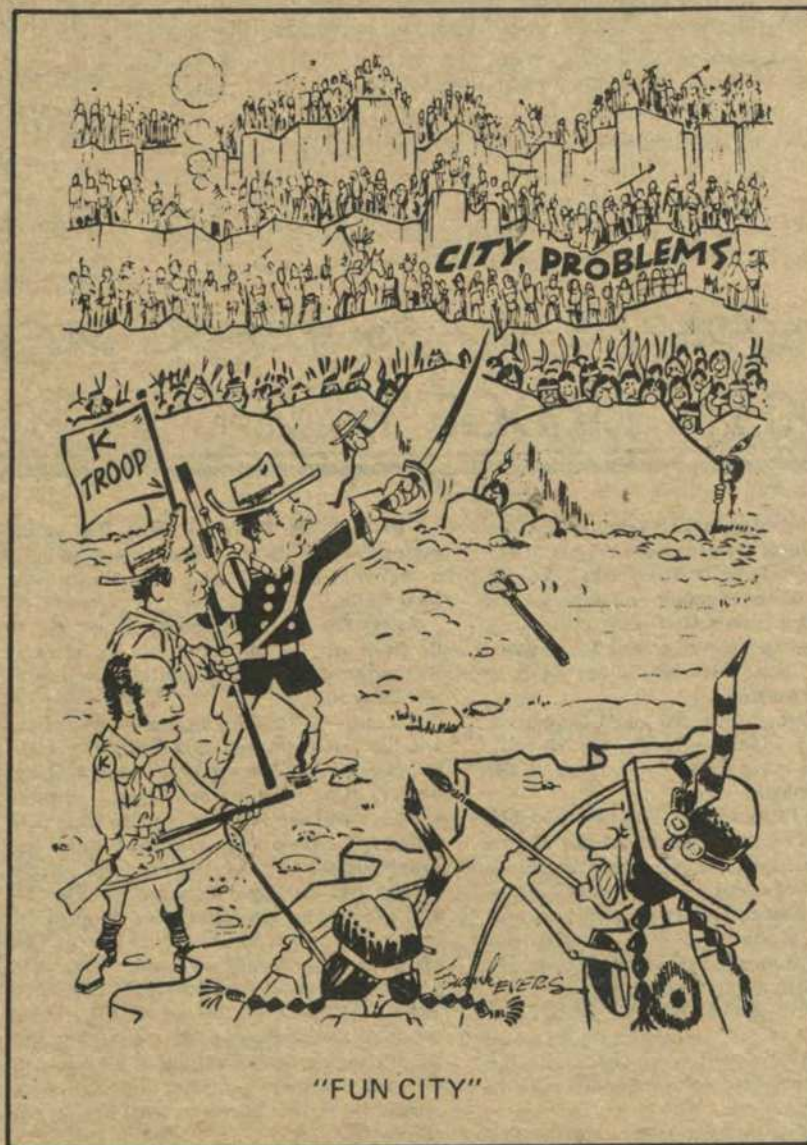
The chiefs of the Houdenosaunee and our people will meet you at Hun-Da-Guy-Yue (Washington). We ask that you keep us informed as to your progress so that the walkers from the Houdenosaunee will arrive with your people.

Brothers,

We offer on the first sunrise of every new moon a tobacco offering to the Creator and all forces on behalf of your journey until you arrive.

Onch,

Mrs. Audrey Shenandoah  
Secretary, the Six Nations  
Iroquois Confederacy  
(Also signed by signatory chiefs  
of the Six Nations Confederacy)



"FUN CITY"

## "THE CONFUSING SPECTRE OF WHITE BACKLASH"

### NOTES:

I read with interest your article on "The Confusing Spectre of White Backlash" in the December issue of AKWESASNE NOTES.

I am interested in finding out more about the Native American position on the Alaskan Wildlands Bill (HR 39) as I have been involved with the Alaska Coalition, which is pushing for passage of this legislation. While I have been assured that this bill will protect hunting and fishing rights of aboriginal people, I have not read the "fine print." Do you know of any material produced by Eskimo or Aleut people either in favor or against this particular bill? If against, I am most interested in finding out why, in order to be able to bring this information to the attention of the Coalition.

I would like to see the "environmentalists" become better educated to Native American needs around land - it seems to me that both groups (in large part) share a basic love of the land and because of that shared love and respect are potentially closer allies than they have been in the past.

I'd appreciate any help you might give me or any comments you might have.

With good wishes,

B. Beausoleil-Zelwer  
1220 Milvia Street  
Berkeley, Ca. 94709